MINUTES

BOARD OF REGENTS’ COMMITTEE ON INTERCOLLEGiate ATHLETICS MEETING

SEPTEMBER 2, 2015

I. CALL TO ORDER

Committee Chair, Jeffrey Portnoy, called the meeting to order at 9:00 a.m. on Wednesday, September 2, 2015, at the University of Hawai‘i at Mānoa, Information Technology Building, 1st Floor Conference Room 105A, 2420 Correa Road, Honolulu, Hawai‘i 96822.

Committee members in attendance: Committee Chair Jeffrey Portnoy; Committee Vice Chair Michelle Tagorda; Regent Barry Mizuno; Regent Stanford Yuen.

Committee members excused: Regent Simeon Acoba.

Others in attendance: Board Chair Randy Moore; Regent Wayne Higaki; Regent David Iha; Regent Ernest Wilson, Jr. (ex officio committee members); Vice President for Academic Affairs Risa Dickson; Vice President for Legal Affairs and University General Counsel Carrie Okinaga; UH Mānoa (UHM) Interim Chancellor Robert Bley-Vroman; UH Hilo (UHH) Chancellor Don Straney; Executive Administrator and Secretary of the Board of Regents Cynthia Quinn; and others as noted.

Committee Chair Portnoy welcomed everyone to the first meeting of the new academic year.

II. APPROVAL OF THE MINUTES OF THE MAY 21, 2015 MEETING

Regent Mizuno moved to approve the minutes of the May 21, 2015 meeting, Regent Yuen seconded the motion, and the minutes were unanimously approved.

III. PUBLIC COMMENT PERIOD

Executive Administrator and Secretary of the Board Cynthia Quinn announced that the Board Office received no written testimony, and no individuals had signed up to give oral testimony.

IV. AGENDA ITEMS

Committee Chair Portnoy explained that this was an organizational meeting and there were no specific matters that needed addressing, other than discussing the overall purpose of the committee, reviewing the mandates in the bylaws, and considering goals and objectives for this coming year. He acknowledged the UHM Athletics Director David Matlin and the UHH Athletics Director Patrick Guillen who were present.

1. Review of Bylaws
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2. Setting Goals and Objectives

Committee Chair Portnoy referred to the bylaw mandates and indicated he was not a regent when the bylaws were enacted. He gave some background on the committee and noted that the committee was formed as a result of a national trend that athletic programs were becoming a more important part of university administration. It was suggested that universities discuss implementing a Committee on Intercollegiate Athletics at the board level. The committee will operate under these mandates until modified. The mandates are specific in some areas and vague in others, so he requested that everyone weigh in on the discussion to help plan the year ahead.

Committee Chair Portnoy explained the committee charter from the bylaws and the matrix containing the mandates for the committee to review. Mandate 1 reflects the overall purpose of the committee, Mandate 2 and Mandate 3 regards the student athlete. Committee Chair Portnoy opened the floor to discuss the role of the committee as to academic requirements and progress of student athletes, and scope of reporting by the athletics director to provide the committee. UHM AD Matlin explained that APR was a metric from the National Collegiate Athletic Association (NCAA) to measure academic performance and retention of student athletes. The scale is based on 1,000 points, and if a program falls below 930 it can be subject to penalties (e.g., not qualifying for post season play). By and large there has been improvement in the APR this year, but there are a few programs that need help such as basketball. However, new coach Eran Ganot has addressed the situation, the team finished strong last year, and the performance this past summer improved. Committee Chair Portnoy asked if the athletics department did annual internal reviews and additional reports besides the APR. AD Matlin responded that in addition to APR, other NCAA mandates include Graduation Success Rate (GSR), and Grade Point Average (GPA) that universities are also required to provide annual reports. He added that it would make sense to provide the information annually to the committee after the numbers are compiled. AD Guillen commented that although Division II does not require an APR, they have an Academic Success Rate (ASR) based on a 6 year cohort, and a GSR is also required. APR may likely be required in the future for Division II, but it is not presently done. The ASR is due 15 weeks after the first date of classes, so UHH will submit their report in the third week of October. In addition to the ASR, both UHM and UHH Athletics Department generate internal progress reports that are presented to the board on an annual basis.

The committee concurred that its primary role is to focus on review of metrics and performance once a year, usually in November for the prior year. The committee discussed the addition of an annual report on athletes who participate in advance programs to promote education as role models, performance data by sports team, and a higher focus on graduation success and failure rate based on a five year APR aggregate per sports team in comparison to peers. AD Matlin agreed to include that information as part of the November deep dive on athletics.

Regarding advising the board on its responsibility to oversee the fiscal integrity and budgetary concerns, the committee continues to focus on this. Committee Chair Portnoy provided some background on the continued shortfall in the athletics department at UHM, UHH is doing better. The current shortfall is running at $4.5 to $5 million, with an
aggregate $25 to $26 million. A significant part of the November deep dive will be on the plans the department has to address minimizing the shortfall.

The committee concurred that its role is to review, comment, critique and support, and the chancellor’s responsibility is to balance the budget. Discussions related to financial solvency concerns, and the need to incorporate in policymaking the true value of athletics that includes intangible values of community pride, access to education through scholarships, economic impact to the state, branding of the State of Hawai‘i, and the negative impact to the state without an athletics program. The committee also discussed the potential impact the O’Bannon class-action antitrust lawsuit against the NCAA might have on athletic programs and the ability of schools to competitively recruit student athletes with the limited resources. Strategies discussed included providing a better metric that compares the programs to performance of peers and competition in the same conferences and division, developing success metrics (e.g., student safety, academic progress, financial), increasing publicity, better measurement and management of expectations of constituents (e.g., public, business, legislature), creating a partnership with the Hawai‘i Tourism Authority, potential revenue streams and mix (e.g., government, institution, corporate community, general public and UHF), trends overtime, and how the board can help improve efforts. AD Matlin added that part of the November deep dive will look at forecasting the changing collegiate athletics landscape

Regarding advising the board on its responsibility to oversee the health, safety of student-athletes, the committee agreed administration would provide a new report regarding risk assessments in areas such as athlete health, concussion protocols, and safety, that will include leading practices that high performing institutions follow, and recommendations on reviewing and monitoring and metrics. The committee discussed the tremendous increase in financial risks to institutions arising out of athletics. AD Matlin suggested that health and safety be on the agenda for an upcoming committee meeting sometime in January so the regents can gain a better understanding of what is being done and how the athletics department measures success.

Regarding advising the board on its responsibility to oversee the handling of any event or situation that may draw unusual public interest to the athletics program, a particular team, student athlete, or department employee, the committee agreed that the primary focus is policy making and oversight to ensure plans and protocols are in place to address issues as they arise. Athletics directors are responsible for the daily operations of their departments, addressing issues and proactively bringing issues to the committee and/or board for feedback when appropriate. The chancellors are ultimately accountable for ensuring that issues are invested fully and what is being done to ensure it does not happen again.

Regarding recommending policies governing all aspects of Intercollegiate Athletics at the university, the committee concurred to periodically review and recommend changes to the policies and bylaws as needed, and to consider matters referred by the board and brought by administration.

Committee Chair Portnoy noted for the purposes of briefing new committee members, there may be potential action regarding an NCAA investigation and litigation that may
come before the committee this year. He commented that at the present state of UH, it is good to have a board Committee on Intercollegiate Athletics, and the committee needs to define its role should and how the committee will interact with the individuals who are responsible for the daily operations.

Regarding mandate #1 in the matrix, the committee agreed it has the duty to serve as a liaison between the board and the respective campuses and their athletics departments, and consider matters referred by the board and brought by the chancellors.

Regarding mandates #2 and 3 in the matrix, the committee requested the chancellors provide suggestions on how best to address the mandates and timing.

A deep dive report to the board and an academic progress report to the committee are scheduled for November, and an update on health and safety is scheduled for January. The deep dive and reports will help better inform the committee in conducting its oversight. Committee Chair Portnoy encouraged committee and ex-officio members and administration to email the board secretary with any agenda topics for consideration.

V. ADJOURNMENT

There being no further business, on the motion of Regent Yuen and second by Regent Mizuno and with unanimous approval, the meeting was adjourned at 10:15 a.m.

Respectfully Submitted,

/S/

Cynthia Quinn
Executive Administrator and
Secretary of the Board of Regents