MINUTES

BOARD OF REGENTS’ COMMITTEE ON INTERCOLLEGIATE ATHLETICS MEETING

FEBRUARY 10, 2016

I. CALL TO ORDER

Committee Chair Jeffrey Portnoy, called the meeting to order at 1:30 p.m. on Wednesday, February 10, 2016, at the University of Hawai‘i at Mānoa, Information Technology Building, 1st Floor Conference Room 105A/B, 2420 Correa Road, Honolulu, Hawai‘i 96822.

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

Others in attendance: Board Chair Randy Moore; Regent Wayne Higaki; Regent David Iha; Regent Michael McEnerney; Regent Lee Putnam; Regent Ernie Wilson, Jr. (ex officio committee members); Vice President for Administration Jan Gouveia; Vice President for Community Colleges John Morton; Vice President for Legal Affairs and University General Counsel Carrie Okinaga; Vice President for Research Vassilis Syrmos; Vice President for Budget & Finance/Chief Financial Officer Kalbert Young; UH Mānoa (UHM) 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.

II. APPROVAL OF THE MINUTES OF THE NOVEMBER 4, 2015 MEETING

Board Chair Moore moved and Regent Mizuno seconded the motion to approve the minutes of the November 4, 2015 meeting, which was 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 one individual had signed up to give oral testimony.

1. Shannon Wood, Windward Ahupua’a Alliance, testified in opposition to House Bill No. 1847 repealing the Stadium Authority, and cautioned the regents to monitor and understand the negative impact of the bill.

IV. AGENDA ITEMS

Committee Chair Portnoy shared general opening comments regarding an AGB article on the “Artists, Athletes, and Governing Boards: Who Plays and Who Wins?” from the September/October 2015 issue of Trusteeship on the value of athletics compared to other extracurricular activities, including artistic endeavors; the need for regents and trustees to
be more involved in athletics and a matter of future discussion on the role of regents in all aspects of intercollegiate athletics; recent issues having negative impacts in athletics including recent proposed legislation to exempt head coaches from unionization that was deferred; and recent Title IX lawsuits filed against universities for failure to address alleged crimes against women committed by athletes.

He indicated the agenda would be reordered to start with the budget reports.

A. **For Information**

1. **University of Hawai‘i at Mānoa Athletics**

   b) Report on Athletic Program Budget to Actual Revenues and Expenses as of December 2015

   UHM Athletics Director David Matlin summarized the UHM Athletic Program Budget to Actual Revenues & Expenses as of December 31, 2015, that project approximately $4.7 million deficit by year end of Fiscal Year 2016 with revenue from football ticket sales and conference distributions down from last year, although there was an increase in guarantees.

   Questions raised regarded amounts of plant revenues; reduction in the projection of student fees; need for reevaluating projections because of changed circumstances; impact if the men’s basketball team advances to the first round of the NCAA tournament; whether scholarship expenses were reimbursed to the program; and scope of significant increase in personnel expenses.

   AD Matlin explained how plant revenues increase reflected revenue generated from the sale of a donated boat to the sailing team; reduction in student fee projections addresses projected decrease in enrollment, current projections are based on current football tickets sales, conference distributions, even with reaching the NCAA tournament, accounting for projecting unanticipated expenses of $200,000 in collective bargaining with the Hawai‘i Government Employees Association and each Bargaining Unit 8 employee receiving $2,500 (a total of $200,000); and $10.5 million in scholarship costs of which approximately 80% percent ($8 million) is reimbursed, and the remaining $2 million paid through fundraising efforts by ‘Ahahui Koa Ānuenue. The increase in personnel expenses is due to the coaching turnover in football, although less than previous years, and other areas also decreased.

2. **University of Hawai‘i at Hilo Athletics**

   b) Report on Athletic Program Budget to Actual Revenues and Expenses as of December 2015

   UHH Athletic Director Patrick Guillen reported that the program is projected to finish on target and within budget, and improve if spring sports make post-season play, anticipating salary savings and stagnant fringe costs. Scholarships are up, which will help next year, and he was confident the department will end the year in a positive position.
A question was raised regarding the Honolulu Stadium fund revenues. AD Guillen explained the Honolulu Stadium fund revenues were UHH’s portion of the legacy endowment. Both UHM and UHH receive portions of the endowment based on fund performance.

The committee addressed health and wellness issues by inviting the departments to report on their respective health and wellness programs.

a) UHM Athletics Report on Athlete Health and Wellness

UHM AD Matlin explained his efforts when he joined the university as athletic director to meet with every athlete on level of satisfaction of medical care and academic support; he received favorable results, and that it was an ongoing process to continually improve and innovate.

AD Matlin invited his management staff who reported on the UH Athletics Department Medical Referral List of staff and volunteers of medical personnel, concussion management program, Internal Management Regulation and Procedures for Drug Education and Testing of Student-Athletes at UHM, and nutrition program.

Questions and comments were raised regarding scope of mental health care on-site or via referral to the campus Counseling & Student Development Center (CSDC); documenting and utilization of injuries; extent of medical coverage for intramural students and athletes after graduation; and scholarship impact for injured athletes.

It was explained how UHM collaborates and coordinates issues occasionally with consultants from the community, particularly on eating disorder patterns. Regarding injury documentation, medical records are required to clear a student participating and an electronic health record is kept for every student athlete with generally a two year window to report injuries. Injured athletes retain their scholarships and can purchase their own insurance, intramural departments provide care for intramural athletes. Discussions are ongoing at the NCAA regarding extended medical care for student-athletes after graduation, and balance managing risk and budget constraints as the athletic training budget is tight, especially for supplies, and need for additional staffing.

It was explained how a decision is made regarding return to play, that at major sports or contact-collision sports at least one physician on-site makes the decision in consultation with the athletic training staff, independent and clear of any interference by coaches. Trainers are the first responders and provide the physicians with an evaluation and diagnosis of how the injury occurred, but defer to the physician on how to manage care. A physician is on-site for every home event hosted by UH; a team physician travels with the football team to away games; other teams rely on the home team’s physician at away games. Low-impact sports like golf have athletic trainers at events. Comparative data on injuries to determine trend lines within individual sports would be provided and projected. It was noted an increase in the number of diagnosed concussions due in part to an increase of awareness, and decrease in knee injuries that are common due to
improved rules and equipment, and training designed to reduce these types of injuries employed in training patterns during pre-season.

Regarding drug testing, it was reported how UH has chosen to do institutional mandatory drug testing in addition to pre-participation drug testing, even though it is not mandated by the NCAA, to educate student-athletes to be safe, healthy, and able to compete; testing also incorporates annual meetings at the beginning of every year to review the policy and expectations, talks by the Taylor Hooton Foundation, and the NCAA My Playbook program.

Questions were raised regarding the extent and scope of testing consequences, outcomes, and sufficiency of resources.

It was explained how the NCAA allows a university to terminate scholarships if student-athletes are rendered ineligible to play during the period of award and coaches can recommend a scholarship be cancelled if a student-athlete tests positive after the period of award (e.g., spring semester for student-athletes who play fall sports). The random testing was explained that a total of 16 student-athletes across all sports are selected per random monthly drug test, for a total of 160 student-athletes per year, which is comparable to peers. Budget impacts the number of student-athletes selected because performance enhancing drug (PEDs) testing is very expensive. The penalties are based on whether a student-athlete tests positive for PEDs or non-PED drug use (e.g., street drugs), and tests are sent to two separate laboratories. Student-athletes are also educated on opioids. The NCAA bans marijuana as a street drug and trending analysis is not yet available as the random testing program has been in effect for only one year. Only pre-participation drug tests had been conducted, and overall UH is averaging less than one positive per month, and less than five reasonable suspicion testing with 100% testing positive. Assistance and follow-up after a positive drug test is done in conjunction with the head team physician and includes on-campus drug counseling or counseling by an outside company. AD Matlin meets with every student-athlete who tests positive to talk about the importance of their life and representing UH. The program is satisfactory and has adequate resources. Continual review of the program will be conducted over the summer for improvements.

Regarding nutrition, approximately 200 student-athletes receive scholarships that include meal plans or funds for up to three meals per day and generally provided by donors; all athletes take advantage of the food and beverage products in the weight room; and healthy snacks may be provided at anytime, and supplemental meals on practice days.

a) UHH Report on Athlete Health and Wellness

UHH AD Guillen reported on behalf of Team Physician Dr. Edward Gutteling that there were no confirmable cases of dengue fever among student athletes. While evaluation of all the programs is still ongoing, to date substance abuse education and sexual violence awareness and education programs receive positive marks and done in tandem with Dr. Sulma Gandhi, Director of Student Health & Wellness. UHH is considering a partnership with a firm in North Carolina to promote student-athlete health and wellness and the
Committee on Intercollegiate Athletics Meeting Minutes of the February 10, 2016 – p. 5/5

possibility of NCAA grant to pay for expenses. UHH training staff has decreased, and currently has two full-time athletic trainers on staff, and will be hiring a Head Athletic Trainer and an assistant athletic trainer. The two full-time trainers ensure all events are covered for the health and safety of student-athletes. Dr. Gutteling attends most home games along with other volunteer physicians. He thanked AD Matlin for providing a trainer to staff the 25th Annual Amer Ari Intercollegiate Golf Tournament that UHH hosted at Waikoloa Kings’ Golf Course. Regarding overall injuries, this year there have been a total of 88 injuries compared to the 229 last year. Four months remain, but injuries are trending in the right direction. UHH’s concussion protocol is the same as UHM and mirrors the NCAA mandates. The NCAA Division II recently enacted a new policy related to strength and conditioning coaches, and UHH is formulating a plan to address that. UHH measures success in student health and safety by the number and type of athletically-related injuries, risk assessment and management, practices in place at training rooms and athletic venues, and education reinforcing prevention of injuries. UHH has the same drug test policy as UHM.

In response to earlier concerns by the committee regarding the gymnasium floor, it was reported that the floor will be completely refinished using a water-based finish this June to replace the oil-based finish which will alleviate some of the past issues.

Questions and comments were raised regarding the relationship between facility upkeep and injuries to lessen the possibility of an injury; the lack of railings along the aisles at the Stan Sherriff Center for senior citizens; and that feedback the committee members have received from fans were hopeful for the future of the athletics program given recent results.

AD Matlin confirmed how the university will continue to be vigilant about monitoring, and requests to address health and safety issues through repair and maintenance have been submitted, with longer term financial solutions required in some cases.

V. ADJOURNMENT

There being no further business, upon no objection, the chair adjourned at 2:47 p.m.

Respectfully Submitted,

/S/

Cynthia Quinn
Executive Administrator and
Secretary of the Board of Regents