
THE COMMONWEALTH OF VIRGINIA THE VISITORS OF JAMES MADISON UNIVERSITY

Minutes of the Athletics Committee

The Athletics Committee met on September 15, 2022, in Ballroom B of the Festival and Student Center. The meeting was called to order at 2:45 p.m. by John Lynch, Chair. Mr. Lynch expressed his excitement in serving as chair of the Athletics Committee and welcomed attendees. He then invited the new committee members to introduce themselves.

Present:

Lynch, John, Chair
Bell, Dickie
Tompkins Johnson, Deborah
White, Jack

Others:

Herod, Maribeth, Rector
Bourne, Jeffrey, Director of Athletics
Burgess, Brad, Assistant A.D. for Ticketing & Strategic Revenue
Crawford, Meredith, Assistant A.D. for Student-Athlete Leadership
Gorton, Eric, University Media Relations Coordinator
Hart, Mac, Assistant A.D. for Business & Finance
Knight, Jack, University Counsel
LaPorta, Stephen, Assistant A.D. for Compliance
Nickel, Eric, Director of University Recreation
Phillips, Jennifer, Senior Associate A.D. for Student-Athlete Development/SWA
Phillips, Ty, Assistant A.D. for Facilities & Events
Polglase, Geoffrey, Deputy Director of Athletics
Renkin, Scooter, Assistant A.D. for Development
Soenksen, Roger, Faculty Athletics Representative
Straughn, Cameron, Team Physician/Interim Director of Integrated Health & Sports Performance
Warner, Kevin, Assistant A.D. for Communications
White, Kevin, Associate A.D. for Sports Programs
Wyant, Melissa, Assistant A.D. for Creative Services & Fan Engagement

Mr. Lynch called for a motion to approve the minutes. It was moved by Deborah Tompkins Johnson and seconded by Maribeth Herod to approve the minutes of the April 21, 2022, meeting of the Athletics' Committee.

Sports Update

Jeff Bourne, Director of Athletics, welcomed new members of the Athletics Committee and expressed excitement in working with each of them in the coming year, and spoke to the importance of their appointments in helping to advocate for JMU's student-athletes and provide recommendations to better serve the department as whole. Members of the JMU Athletics "Administrative Team," a leadership arm within Athletics were introduced and highlighted their role in the department. Following introductions,

Mr. Bourne then provided the Committee with an overall Sports Update. James Madison University teams have compiled a 17-11-2 cumulative record for a .600 winning percentage. Over the past 8 years combined, the Dukes have won at a .644 clip across all sports. JMU had one team ranked in national polls so far in 2022-2023, with field hockey ranking 25th on September 13. Football sits 2-0 to start its transitional FBS season, including a 44-7 domination of Middle Tennessee in its first-ever FBS game. There were 110 media mentions for a reach of 13.6 million as well as 1,100 social media mentions for a reach of 1.3 million to go with 4.2 million total impressions. With its 44-7 win over Middle Tennessee to open the 2022 season, JMU generated \$1.5 million worth of paid media coverage, including \$1 million on the single day of the win. JMU surpassed its all-time season-ticket record with 7,582 football season tickets for the 2022 campaign, the first season of its FBS transition. Men's soccer is 2-3 early in the season. Women's soccer is off to a strong start at 4-2-2 with only four goals allowed in eight matches. Volleyball is 6-3, including a sweep of the JMU Invitational. Field hockey is 3-3 while competing in 2022 as an independent team. JMU announced Delethea Quarles as new Director of Track & Field and Cross Country and also hired Rebekah Ricksecker as cross-country head coach. JMU inducted its Hall of Fame Class of 2022 on September 9 with a group featuring: standout swimmer (1997-2001) and coach (2004-2013) Samantha Smith Barany; former women's basketball head coach Kenny Brooks (2003-2016) and one of his star athletes, Dawn Evans (2007-2011); football quarterback Rodney Landers (2005-2008), long-time women's soccer head coach Dave Lombardo (1990-2017), baseball catcher Jake Lowery (2009-2011), track runner Anthony Wallace (2000-2003) and golfer Jay Woodson (2000-2004). As part of recognizing 50 years of Title IX, JMU will hold a year-long initiative devote one week to each female sports program to highlight key moments made possible by Title IX. JMU launched the "Dukes Do Better" University-wide sportsmanship campaign prior to the start of fall sports as a way to focus on appropriate fan and competitor conduct at sporting events. Following questions and comments from Committee members, Mr. Bourne concluded his update.

2021-2022 Strategic Plan Accountability Measures,

Geoff Polglase, Deputy Athletics Director, asked if there were questions from Committee Members relating to the 2021-2022 Strategic Plan Accountability Measures; the report was shared with Committee Members prior to the meeting. He shared that JMU Athletics continues to meet and exceed the majority of the measures outlined in the University Strategic Plan. Committee Member, Deborah Tompkins Johnson, shared her appreciation for the information, and noted the level of collaboration and uniformity between the University and Athletics. The measures are included annually in the STAR Planning submission, which is aggregated into the University's data report for accreditation.

Compliance Update

Stephen LaPorta, Assistant Athletics Director for Compliance, provided a Compliance update, which highlighted the recent June 2021 Supreme Court ruling in *NCAA v. Alston*, in which it was unanimously ruled that the NCAA restricting non-cash education-related benefits, violates anti-trust laws. The ruling has changed legislation relating to educational-related benefits to student-athletes, including scholarships for vocational schools, post-eligibility scholarship opportunities, academic or graduation incentives, and other educational benefits such as tutoring, study abroad, and other tangible items (i.e. course material) not included in cost of attendance. The ruling also removed perceived anti-trust exemptions and set precedent for future cases regarding amateurism rules, including Name, Image and Likeness. The NCAA has allowed institutions to identify "graduation incentives" up to \$5K, annually and have adopted a "liberal" approach as to what a student-athlete is "doing" to receive an incentive. Mr. Bourne referenced the concern of these cases and the financial implications that they may place on institution, including JMU. Mr. LaPorta then provided an overview of Name, Image and Likeness (NIL), which permits student-athletes to begin profiting off their name, image or likeness. Further, he offered a synopsis of how NCAA rules, Virginia Law and JMU's own policy relate to NIL.

The NCAA has taken a somewhat hands-off approach and punted to individual States and institutions to set parameters. The NCAA only mandates that student-athletes cannot be “paid for play” nor can incentives be tied to a current or future enrollment at an institution. Mr. Lynch questioned the presence of NIL at JMU, and Mr. LaPorta referenced that while there have been some opportunities for our student-athletes, they are not to the scale of those seen at the Power 5 institutions. Mr. LaPorta then commented on the newly-created NCAA Transformation Committee, which was formed after the NCAA Constitution Committee’s work was completed in 2022. The Committee is focused on: reviewing issues related to transfers, the modernization of NCAA rules (i.e. antitrust risks), timeliness of the infractions process, Division 1 Membership standards, and enhancing student-athlete support and benefits, and has developed a timeline to address the various areas prior to the conclusion of 2022. Following questions from Board Members and a brief discussion, Mr. LaPorta concluded his update.

Development Update

Scouter Renkin, Associate Athletics Director for Development, provided a fundraising update, which offered an overview of the various types of giving available to donors. He then offered a review of last fiscal year’s fundraising numbers, as well as fiscal year-to-date figures. Mr. Renkin shared that last year was highlighted by a record \$4,044,247M raised by the annual fund, which was fueled by the “Dukes Rise Challenge” and a record 4,695 donors gave to JMU Athletics. Further, the Proud and True Fund, which is the philanthropic arm of the Duke Club, was responsible for 53% of total funds raised. Overall, total fundraising efforts surpassed over \$5M. Presently, this year’s numbers are tracking ahead of last year’s record pace. Mr. Renkin shared that he excited for this year’s Annual Fund goal of \$4.3M which is a 6% increase from last year funds raised. He expressed that with Football reseating and re-parking in the Spring, accompanied by the excitement surrounding the move to the Sun Belt, having a full Duke Club staff in place, as well as an increased donor count, that he is optimistic of reaching the fundraising goals set for this fiscal year. Following questions from Committee Members, Mr. Renkin concluded his update.

Sun Belt Conference Update

Jeff Bourne, Director of Athletics, provided a brief update on JMU’s transition to the Sun Belt Conference. Mr. Bourne noted that the transition to the Sun Belt has been welcoming and that the Conference is both strategic and collaborative. He noted the intent of the Conference to be both tactical and fiscally responsible in hosting annual meetings for individual sports programs on a rotating basis—in-person one year and virtually the following; Football and men’s and women’s Basketball will meet in-person each year, however. Further, he shared that both the men’s and women’s basketball tournaments will take place, simultaneously in the same location, a change from the Colonial Athletic Association (“CAA”) tournament setup. The only “downfall” to the Sun Belt Conference is that it does not provide full alignment for all of JMU’s sports: field hockey currently competes as an independent, Lacrosse in the American Conference, and Swimming and Diving in the CCSA. Mr. Bourne shared that he will continue to lobby for inclusion on all JMU-sponsored sports in the Sun Belt Conference. Mr. Lynch commended Mr. Bourne on his leadership through the transition, stating that it was “the right conference at the right time.” Mr. Bourne then referenced the JMU Athletics Departmental “one-pagers” that were previously-shared with the Committee Members. The intent of the documents was to provide an overview of the various areas within the department and to associate the new board members with nuances and issues, as well as acronyms associated the JMU Athletics (i.e. GSR, APR, and the Cox Bill). Mr. Bourne then opened the floor to questions regarding the documents provided and JMU Athletics generally. Mr. Lynch asked of non-financial ways that JMU Athletics could be supported. Jennifer Phillips, Senior Associate A.D. for Student-Athlete Development/SWA and Dr. Roger Soenksen, Faculty Athletics Representative, spoke to the committee concerning the challenges and penalties often imposed

upon JMU Student-Athletes—and other students representing JMU in an official manner—due to the absence of a Missed Class Time Policy and a true Priority Registration for Student-Athletes. Dr. Soenksen shared specific instances in which student-athletes were “artificially” penalized for missing class while representing JMU in an official capacity, noting that reasonable accommodations are often denied (i.e. the ability to participate in a lecture virtually while traveling for competition, allowing an exam to be administered by a staff member while traveling for competitions, etc.). While numerous task forces have been formed to evaluate and strategize such accommodations and the implementation of such a policy—which are currently in place for peer institutions within the Sun Belt—no significant progress has been made. Further, it was shared that student-athletes are often denied tutor services or other “accommodations” by specific professors, despite a diagnosed disability. Ms. Phillips and Dr. Soenksen both voiced concern that there is an expectation to maintain a very high level of academic success (i.e. high GSR and APR) by the University; however, such expectations are held without consideration for the setbacks experienced by the student-athlete in their capacity of representing the University. The Board was both taken aback by the information shared and encouraged to be a voice for the student-athletes and to help advocate for both a formal missed class time policy as well as a priority registration. For JMU to remain competitive on the playing services, as well as in the classroom, efforts must be focused on developing and implementing policies that support JMU student-athletes.

There being no further business, Mr. Lynch us then called for a motion to adjourn. It was moved by Jack White and seconded Dickie Bell. The meeting was adjourned at 4:04 p.m.

Respectfully submitted,

John Lynch, Chair

Donna L. Harper, Secretary to the Board