



## Review of the Outcomes of the Athletics Reports

Submitted January 28, 2019

### BACKGROUND

---

On September 5, 2018, the University of Maryland (UMD) University Senate voted to charge the Senate Executive Committee (SEC) with examining the findings of two independent reviews initiated following a) the tragic death of football player Jordan McNair, and b) the allegations of a “toxic culture” in UMD football, with the objective of providing feedback and/or recommendations to the administration. This Senate action was taken in recognition of the great loss to the McNair family and to our campus community, as well as of the impact of this tragedy and allegations on the institution as a whole. Our goal was, and will continue to be, to work toward a system that protects the health and welfare of every student athlete and promotes the vision and aims of the University.

The report presented here represents a compilation of recommendations stemming from a review of the nearly 300 pages of findings comprising the Walters Report, the Board of Regents Commission and the Athletics Action Plan, issued by the Athletic Director in fall 2018. It should be noted that, in providing these recommendations, our intent is not to second guess the expertise or knowledge base of Dr. Walters or the members of the Commission. Similarly, we do not necessarily seek to critique what we see as appropriate and we welcome actions taken by the Athletic Director so far. Our emphasis has been to identify instances where we believe additional mechanisms and approaches should be in place that will help ensure the implementation of best practices in staff training and preparedness and foster improved transparency and accountability within the athletics program.

Our recommendations fall into six major categories, as detailed below; however, **we wish to emphasize the instillation of a culture of clarity, transparency, and accountability and the fundamental need to overcome the cloistered nature of our intercollegiate athletics program.** To do this will require the establishment of new mechanisms, oversight bodies, and documentation methods on many fronts, ranging from global oversight to periodic reviews, reporting systems, and documentation methods. As Vince Lombardi has been quoted: “If you’re not keeping score, it’s just practice.” Consequently, we urge the athletics program to adopt the mindset that if it wasn’t documented, it didn’t happen - at every step. We believe that such an approach is integral to ensuring accountability within the athletics program, the restoration of good faith between athletics and the greater campus community, and most importantly, the safety and wellbeing of our student-athletes.

The Senate Executive Committee wishes to thank President Loh and Athletic Director Damon Evans for their cooperation in this process. We look forward to working with them, the student-athletes, and the greater campus community in moving our institution forward.

## SUMMARY OF RECOMMENDATIONS

---

Based on the findings and proposed actions of the Walters Report, the Board of Regents Commission Report, and the Athletics Action Plan, the Senate Executive Committee makes recommendations to the President and the Athletics Department in six major categories, as summarized below. A detailed description of specific recommendations within each of these six categories follows.

- **Improved Global Oversight** of Athletics through the establishment of an external review panel;
- **Increased Reporting, Transparency, and Accountability** with regard to the implementation of the Athletics Action Plan, mechanisms for anonymous reporting by student-athletes and staff, the establishment of a student-athlete ombudsperson, and the improvement of transparency and relationships between athletics and the campus community.
- **Periodic review of the Emergency Action Plan (EAP)** by an external panel, continuous assessment of the EAP's efficacy, and a commitment to regular staff training exercises of the EAP with staff understanding incorporated into the PRD process;
- **Utilization of the Medical Model** where athletic trainers are contracted by an entity external to Athletics and clarification of the roles and responsibilities of the physician overseeing athletics and associated reporting lines;
- **Improved Supervision of coaching staff** that is clearly defined so that the Head Coach maintains hiring authority over the Strength & Conditioning Coach, responsibility for the tone and overall culture, and performing their performance review with daily oversight, comprehensive review of strength & conditioning practices, and an overall evaluation of performance reviews conducted by an Athletics administrator; and
- **Establishment of Cultural Values & Norms** that align with the University of Maryland's Values Statement and the adoption of a Code of Conduct for Athletics personnel that recognizes the coaching staff's role in the development of the student-athlete as a member of the larger community.

## RECOMMENDATIONS

---

### Global Oversight

Given the impact of recent events on the athletes, the athletic program, and the campus as a whole, it is advisable that the campus put in place mechanisms for improved oversight and accountability. One measure that we support is the establishment of an external panel that

- performs in-depth review and evaluation of the athletics program as a whole, including policies, procedures, and operations;
- considers the findings of targeted reviews on specific aspects of athletics operations (e.g. EAP review, Athletics Council reviews);
- meets regularly (at least twice annually) to discuss any issues identified during the intervening cycle;
- makes recommendations for improvement to the President, the Athletic Director, and the Athletic Council; and
- makes a summary of its findings and recommendations available publicly.

## Reporting, Transparency, and Accountability

The Athletic Director has begun implementation of a series of actions initiated in response to the circumstances surrounding the death of Jordan McNair as defined in the Athletics Action Plan. This Plan describes a comprehensive set of actions and changes related to equipment and staffing that are aimed at improving the policies and procedures affecting the health and safety of our student-athletes. We commend both the spirit and many of the specifics detailed in the Action Plan, and recommend that

- the ongoing oversight of the overall implementation of the Action Plan incorporate regular reporting to the Athletic Council (e.g., at least twice annually).

The Athletics Action Plan describes the establishment of an online portal called “Terps Feedback” that allows student-athletes to share concerns or report issues securely and in real time. We commend this action but cannot emphasize strongly enough that mechanisms for documentation and review of feedback of *many* types must be put into place such that there is clarity and accountability throughout the Athletics Department. To that end, we recommend that

- comments posted to Terps Feedback be directed not only to leadership within the Athletics Department but also to leadership within a separate UMD division, such as to the Vice President for Student Affairs, to ensure transparency and that effective actions are taken in response.
- the University provide Athletics employees with a mechanism for independent and anonymous reporting of irregular, unethical, or abusive behavior (e.g., USM hotline; “Ethical Systems” reporting system recently purchased by UMD).
- data from the student-athlete survey, including perceptions of care associated with their physical and mental wellbeing, be provided to the faculty on the Athletic Council. Such faculty are well-equipped to provide impartial assessment of the results of the survey, and to recommend actions as appropriate.
- a formal system be established to track and integrate feedback from all sources, both formal (as above) and informal, such that patterns of complaints may be discerned and acted upon. Findings should be reported to both the Athletic Director and to the Athletic Council for evaluation and corrective action. We recognize that such a system may require dedicated staff and/or other resources to implement effectively.
- the role of the Athletic Council in oversight should be expanded and codified in the Athletic Council Charter to involve the Council in a review of the feedback and implementation of any corrective actions, such that the overall transparency and accountability of the athletics program to the broader campus is improved.
- The Athletic Council Charter should establish a subcommittee composed of faculty representatives of the Council, whose responsibility would be to consider input from student-athletes and staff reviews and concerns raised through Terps Feedback.
- a dedicated student-athlete ombuds position be established, such as is in place at Michigan State, that is outside of Athletics and is clearly an independent resource for the resolution of issues specific to the student-athlete experience.

We agree with the findings of the Walters report, that the Athletics program should take steps toward becoming more accessible in their day-to-day functions. Specifically, Athletics should consider

- implementing the Walters report recommendation that video cameras be installed in weight rooms;
- encouraging increased public access to team practices; and

- improving outreach and engagement of, and integration with the greater campus community.

### **Emergency Action Plan (EAP)**

The Athletics Action Plan indicates that, based on the Walters report, UMD will establish an independent review panel that will annually review procedures and protocols associated with student-athlete safety. We support this action, and recommend that

- such a review be performed on a regular basis internally and include a tabletop drill or other exercise to inform any needed updates and/or revision of the Emergency Action Plan (EAP). In addition to internal review, we recommend a periodic review of the EAP by independent external evaluators, occurring on a regular established schedule (e.g., on a bi- or triennial basis).
- the findings of both the internal and external evaluations of the EAP and its implementation should be reviewed by the Athletic Council annually.
- a regular, ongoing schedule of EAP training and renewal trainings be established, with documentation and tracking of such training available for review.
- methods for evaluating the effectiveness of these trainings be established, to ensure trainees are knowledgeable and prepared on an ongoing basis.
- knowledge and implementation of EAP elements be included in annual staff performance reviews.

### **The Medical Model**

The Walters report refers to the structure in which athletic trainers are employed and supervised as a modified version of the “athletic model” where UMD trainers are part of the UMD Athletic Department but medical supervision is provided by physicians elsewhere. We understand the inclination to maintain control over hiring/firing decisions for UMD staff; consequently, we recommend that

- athletic trainers be contracted through an entity outside UMD Athletics (e.g., the “medical model”) to ensure that actions by athletic trainers may be completely independent of any threat to their positions, real or perceived. An “outside entity” may include divisions within the University (such as student affairs) but outside Athletics.
- the roles and responsibilities of the physician overseeing the athletics medical program be clarified, such that a better understanding of how athletic training staff are hired, trained, and supervised may be provided to staff as well as the greater campus community. An organizational chart that incorporates the lines of authority as well as the reporting lines would provide clarity and transparency.

### **Supervision of Coaching Staff**

The Commission report states that ‘Strength and conditioning coaches wield enormous influence over players, so much so that one former coach referred to them as the “head coaches of the off-season.”’ Clearly, it is imperative that the Strength and Conditioning (S&C) coach and the Head Coach be in accord with one another in terms of approach, practices, and objectives. It is also clear from both the Commission and Walters reports that the lines of authority and oversight of the UMD S&C coach were not properly structured, and that, as a result, the process of evaluating the performance of the S&C coach was nonexistent. The lack of clarity regarding reporting lines must be resolved, and a thorough annual review process be established for this and all coaching staff. To that end, we recommend that

- the Head Coach retain authority for hiring of the S&C coach, such that the Head Coach may evaluate the alignment of their approach, practices, and objectives with his overall vision. As the hiring authority, the Head Coach then bears responsibility for setting the overall tone, and by extension the culture, of the program. Practices in the hiring of this and all other assistant coaches should be consistent with those described in the NCAA document, “Managing Your Program: A Guide From One Coach to Another” (see below).
- the Head Coach maintain authority over the HR reporting line of the S&C coach, including performing PRDs, periodic reviews, and other official oversight of the S&C coach. This is recommended so that the responsibility of the Head Coach, regarding the overall tone and culture of the program is clear. At the same time, we believe that a dual oversight mechanism be in place, such that on-the-ground, daily oversight of the S&C coach should be performed by an Athletics administrator such as an associate AD, who reports her/his findings to the AD and Head Coach, and whose evaluation must be incorporated into the periodic review. The associate AD would continue to review PRDs of the S&C coach as part of a comprehensive review of strength & conditioning practices across the Athletics Department.
- formal evaluation of all coaches, including all assistant coaches, the S&C coach, and the Head Coach occur on an annual basis, consistent with University-wide practice, consisting of a comprehensive assessment that includes multiple inputs: evaluation by the student-athletes (to include written comments), relevant staff members, the associate AD, the Head Coach, and the AD.

### **Cultural Values and Norms**

The Commission report emphasizes that the ability to compete in the sport of football at the intercollegiate level requires the S&C coach to be “tough and relentless” and to push the athlete to their limits. However, the report also recognizes that multiple standards set by the NCAA, the Big Ten Conference, the US military, and the Maryland Athletics Policy and Procedures manual require strength and conditioning to be performed in a positive, non-punitive, and professional manner. We agree with this finding and further recommend that

- all coaching and other athletics staff be expected to behave in a manner consistent with the [University of Maryland’s Values Statement](#) with particular regard to the components “*Respectful*” and “*Safe and Secure*”.
- all new hires be advised of these values and expectations during the interview process.

Further, we support the findings of the Commission report that recommends that the AD adopt a code of conduct for all Athletics Department staff, and recommend that

- the code includes a statement recognizing that coaching staff responsibilities are not limited to the physical development and performance of each student-athlete, but also include the development of the student-athlete as a member of the larger community, and that that responsibility requires coaching staff to model good moral, ethical, and professional standards.
- the AD, together with the Athletic Council and in consultation with the Student-Athlete Advisory Committee, develop a document describing what student-athletes have a right to expect from the coaching staff, as well as what the coaching staff has a right to expect from the students.
- periodic/annual reviews for all staff emphasize and reinforce the code of conduct and the students’ expectations document.

## **NCAA Managing Your Program: A Guide From One Coach to Another**

We recommend review and adherence to this document from the NCAA Division I Men's Basketball Ethics Coalition, as a model for guiding principles in coaching across sports. We particularly wish to emphasize the following sections of the document:

- **Best Practices - Hiring a Staff** - Preferred qualities for an assistant coach
- **Best Practices - Communicating With Your Team** - Establish a culture of honesty and respect
- **Promoting Student-Athlete Wellness** - Mental health; Nutrition, sleep and performance; Sexual violence prevention
- **Commitment to Monitoring** - Establishment of a program of prompt and consistent review of documentation related to monitoring of forms, logs, evaluations and questionnaires within the sport program.