

EXHIBIT
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Hayes
8/15/2020

Office of the President

Addressing Brown varsity sports decisions

Saturday, June 6, 2020

Dear Brown Community,

Since the [announcement](#) last week of the Excellence in Brown Athletics Initiative, we have received an outpouring of feedback from our community, especially about the decision to transition the status of some varsity and club teams.

Many in our community are excited that Brown has taken steps to improve the overall competitiveness of our varsity athletics program, enhance the strength of our club sports and build stronger affinity with athletics across the entirety of our community. There is excitement for creating a stronger reputation for Brown Athletics.

At the same time, I know that the loss of varsity status for 11 sports is being felt personally and deeply by our student-athletes, their families and generations of alumni who competed in those sports. We knew in making these difficult decisions that our community would feel deep disappointment, coupled with sadness and frustration.

We have been asked about the timing of the decision. Unfortunately, there would never be a time to make these decisions that would not have an impact on some group of current student-athletes, new recruits and coaches. But I never could have imagined the release of the initiative would come on the heels of one of the most heart-wrenching moments in our nation's history — the death of George Floyd and the illumination of the longstanding problem in this country of anti-black racism — and I am truly sorry for the impact the collision of these circumstances have had on so many in our community.

I'm writing to address a number of questions community members have shared related to the initiative, and particularly the decisions that reduced Brown's roster of varsity sports from 38 to

29. I feel it's important to walk through the factors informing the recommendations of the advisory Committee on Excellence in Athletics.

But first, I want to reiterate that Brown is dedicated to providing academic and personal advising and support for our student-athletes during this transition. The coronavirus pandemic — as terrible as it has been in disrupting students' lives, and disproportionately affecting the lives of others — presented a timeframe with the least negative implications for student-athletes.

Because of COVID-19, students have time to consider options to preserve their eligibility; pursue individual competition; or transfer to schools with varsity programs, if they choose to do so. My deep hope is that every one of our student-athletes will remain at Brown. I know they are exceptional students and leaders who are passionate about their sports. Brown recognizes and celebrates the talents of these student-athletes, at the same time that we strive for building sustained excellence in the entirety of our athletics program.

All of the coaches for the transitioning sports will be sources of support for students considering their options over the summer, and most of the head coaches have been offered the opportunity to remain at Brown to coach transitioning club teams in their sport if they choose to.

Motivation

The Committee on Excellence in Athletics was advisory in its role and made recommendations to me, later approved by the Corporation of Brown University, based on a thorough assessment process. I charged the committee with developing a plan to reduce the number of varsity teams at Brown.

My decision to reduce varsity teams was the result of many factors:

- years of discussions with members of the athletics department who told me that physical and financial resources are stretched too thinly to adequately support our student-athletes;
- conversations with numerous alumni who acknowledged that Brown should cut sports (provided it is not “their” sport); and
- findings of a confidential external review in 2018-19 to consider how Brown could improve the competitiveness of varsity athletics assuming the context of our existing 38 varsity teams.

Although the reviewers were not asked to make recommendations on reducing varsity sports, and did not compare the competitiveness of different teams, the challenges of having such a

large number of teams came up repeatedly in their findings.

For me, this underscores the point that, although our student-athletes are outstanding educationally and athletically, without appropriate resources, support and facilities, it is impossible to provide them with excellent experiences as highly competitive varsity athletes. Reducing the number of varsity teams is one of four core steps outlined in the Excellence in Brown Athletics Initiative for making improvements.

Committee Assessment for Varsity Recommendations

The committee recognized that every team is different and has a unique set of circumstances. Many of Brown's teams are good, so the major consideration was to determine where Brown could focus its efforts to make significant gains in competitiveness.

The committee assessed the following as part of a holistic review:

Competitiveness:

The committee recognized that every one of the sports transitioned to club status has had success. It was also clear that there are athletes on all the transitioning teams who have been individually competitive over the years, including Olympians and national champions. We fully recognize and honor these accomplishments, and there is no intent in any way to diminish the achievements of teams or individual athletes. But in some cases, the sports programs have not had success in competition with their Ivy League peers.

The committee considered this in the context of the findings of a 2018-19 external review, which determined that the large roster of varsity sports at Brown (at 38, the third largest in the country) was a barrier to Brown's competitiveness. This was largely for reasons of difficulty maintaining appropriate squad sizes while complying with gender equity requirements, as outlined in later sections of this letter.

One consideration for the committee was to focus on retaining sports that competed well in competitions where most, or at least half, of the Ivy League schools competed. For non-Ivy sports, a factor was performance within the relevant league or association, and whether the relevant league or association included only varsity teams or combined club and varsity teams.

The committee also examined how Brown stood in the overall competitive landscape. Were other institutions in the Ivy League or in the relevant peer group so far ahead of Brown in recruitment, facilities and strength of competition that Brown would be unlikely to ever catch

up? Does Brown have club sports that are so strong that Brown is already positioned to compete at a high level? And, could there be opportunities for Brown to help shape the future of a sport?

The shift of club sailing to varsity status brought a unique advantage. In the Ivy League, if there are five schools that offer a varsity sport, it becomes a championship sport. With the transition of sailing to the varsity level, Brown joins Cornell, Dartmouth, Harvard and Yale in a new Ivy League Championship sport — and with sailing teams that win national championships already.

Squad sizes:

The committee asked: Are the squad sizes appropriate for the particular sport's competition? Is this a team that needs a great deal of international financial aid to build the squad, considering that Brown doesn't have generous resources for such aid, compared to our peers? Another consideration was how far "under-sized" Brown was in the sport. The aforementioned external review had determined that many of our teams are too small to draw on a deep talent pool to be competitive. This is discussed in more detail, below, under the section on gender equity.

Diversity:

Ensuring diversity and inclusion is a foundational principle for all strategic planning at Brown. The committee analyzed data on the percentage of students from historically underrepresented groups (HUGs) on each team, as well as the percentage of students from the highest-need financial aid categories. The committee was very careful to consider how this diversity would shift before and after transitioning the varsity status of teams.

Prior to the launch of the initiative, HUG representation across all 38 varsity sports was approximately 20%. The committee determined that the revision of the lineup of varsity sports would maintain HUG varsity representation at similar levels across all varsity sports, even if Brown changed nothing about its recruiting. The same is true for representation of students with high financial need. Multiple teams that have the highest diversity (in terms of representation of historically underrepresented groups and socioeconomic diversity) have maintained their varsity status through this initiative, while some sports that were among the least diverse transitioned to club status.

However, the committee also looked at recent success of aggressive recruiting efforts in increasing team diversity, and envisioned an increase in diversity-enhanced recruiting over time. I have set the expectation that plans be developed in the Department of Athletics for broadening its recruiting strategies in DIAP Phase II (the current update to Brown's 2016 Diversity and Inclusion Action Plan). Enhanced recruiting became one of the four core actions of

the athletics initiative, following committee discussions about the impact of transitioning varsity sports on communities of color at Brown, including the black community. Although, I will not hesitate to share that the enormity of the impact on the black community was not fully felt until the past few days.

Since the announcement last week, we have heard the deep concern from students and alumni that the decisions have disproportionately affected opportunities for black male student-athletes. We understand there are critical questions to consider about the potential long-term impact on the black community at Brown. We are committed to further exploring these important issues in the coming weeks with members of our community, specifically as it relates to men's track, field and cross country.

While Brown has a commitment to all forms of diversity, we recognize the need for efforts both within and beyond athletics to strengthen the pipeline of black male students into Brown. This is a priority in ongoing diversity planning through the Excellence in Brown Athletics Initiative.

Gender Equity:

Brown is firmly committed to providing equal opportunities to women and men in athletics, because it is the right thing to do. The University also has a compliance and legal obligation to offer proportional opportunities to participate in athletics for women and men at Brown because of federal Title IX regulations and a 1998 legal settlement (settling the 1992 Cohen v. Brown lawsuit) that established firm standards. For this reason, gender equity played a large role in the committee's considerations.

Under the 1998 legal settlement, which applies only to Brown and not to other universities, the fraction of athletics opportunities for women must remain within a tight band around the fraction of the undergraduate population that is women. As the fraction of women in the undergraduate student body has increased over time (currently at about 53%), it has become more challenging for Brown to meet its obligations under the settlement agreement and Title IX given the number of teams we have. In the past, the University has achieved the required gender balance by maintaining squad sizes of men's teams that, on average, are below Ivy League squad sizes.

The committee realized that, in their judgment, the best way to restore competitiveness and meet the goal of reducing the number of teams overall was to eliminate a number of larger men's teams. This was an important factor in the decision to eliminate men's track, field and cross-

country which, together, provide the most varsity opportunities to men second only to football — the latter of which is a required sport for membership in the Ivy League.

Since the announcement of the athletics initiative, there have been requests to restore men's track, field and cross-country; however if these sports were restored at their current levels and no other changes were made, Brown would not be in compliance with our legal obligations under the settlement agreement. We continue to closely examine Brown's legal obligations.

Facilities:

The committee considered what facilities exist at Brown for training, hosting practices, competitions and championships. Factors included the level of investment required for team travel to train and compete, what recent investments already had been made in facilities, and what definitive infrastructure projects are already planned that could help Brown increase competitiveness within the next 10 years.

The committee reviewed recent enhancements to facilities, including the Berylson Family Football Complex, the Ted Turner '60 Sailing Pavilion at Edgewood Yacht Club on Narragansett Bay in Cranston, and Marston Boathouse. They also looked at assets such as Brown's new Center for Lacrosse and Soccer; two new playing fields; the Attanasio Family Field at Murray Stadium; the Brown Softball Field; and renovations to the Pizzitola Sports Center locker rooms. They also were informed of the work that will begin soon to upgrade Meehan Auditorium, home to Brown ice hockey.

Community affinity:

The committee considered the capacity of a sport to build interest and engagement throughout the Brown community and therefore build affinity, pride and collegiate loyalty. The committee explored, for example, which sports are accessible to spectators for building a fan base, either on site or via broadcast; which appeal to the broadest demographics; and which have existing long histories of community and alumni engagement at Brown. This was a qualitative element of the review, and was reviewed as a distinguishing factor in the context of other variables. Community affinity alone was not a determining factor.

Available data:

The committee assessed competitiveness as I have described earlier in this letter based on information on team standings dating back 10 years, hosted on the Ivy League website. Data on team records for Brown, as well as squad sizes, also is online.

The bulk of the data for the committee's analysis is all publicly available and accessible to any member of the Brown community or the public. The exception is the diversity and socioeconomic breakdown of teams. Because of privacy requirements that prohibit releasing demographic information that could identify members of groups, this is not information that is publicly released about a subgroup of participants in any activity or program at Brown.

One common question we have received is regarding the role that the budgets of the respective sports may have played in the committee's assessment and recommendations. The committee did not look at the operating budgets of the different sports, and budgets were not a factor in decisions. The committee took a holistic look at each and every sport and then focused on retaining the varsity sports that Brown can make significantly stronger through a focus on recruitment, enhanced coaching and facilities improvements.

Opportunities for Community Feedback

We know that many students feel that teams, coaches or athletics staff should have had a role in the decision process for the initiative. We chose not to do this because, given that the expected outcome of the initiative was to transition a number of varsity teams, involving students and coaches would have pitted teams against each other.

To ensure a fair and impartial process and prevent friction between coaches and students on different teams, no current members of the Brown campus community — no students, faculty, staff or administrators — were regular members of the committee or took part in developing its recommendations. Director of Athletics Jack Hayes was an informational resource for the dedicated group of alumni who comprised the committee, and my chief of staff provided support for the committee's meetings and operations.

In the coming weeks, Brown will offer virtual meetings open to all members of the Brown athletics community to hear directly from Director Hayes and me about the assessment behind these decisions. I remain committed to the decision to reduce the number of teams at Brown, and my hope is to build understanding within our community by providing opportunities to address some recurring questions and explore issues of concern.

Brown is committed to working with our student-athletes to find the best path for them. Over time, I hope our entire community can become excited about the prospect of developing one of the top athletics programs among Brown's peers.

Sincerely,

Christina H. Paxson
President