#### Message

From: Paxson, Christina [christina\_paxson@brown.edu]

on behalf of Paxson, Christina <a href="mailto:christina\_paxson@brown.edu">christina\_paxson@brown.edu</a> [christina\_paxson@brown.edu]

**Sent**: 1/5/2020 6:39:39 PM

To: Kevin A. Mundt '76 Mencoff, Samuel M. [smencoff@mdcp.com]

Subject: comments welcome

EXHIBIT 5 Paxson 8/14/2020

--

Christina H. Paxson President Professor of Economics and Public Policy Brown University

#### Motivation

Brown University's athletics program currently offers 38 varsity sports and 33 club sports. Each year, this program provides hundreds of Brown students with valuable opportunities to compete and experience all of the developmental benefits that come with athletics participation.

Although the benefits of athletics are clear, the large numbers of varsity sports at Brown present a significant challenge. With a few exceptions, Brown's varsity teams are not as competitive as they could be. In the decade from 2009 to 2018, Brown garnered only 2.8% of lvy titles, the lowest in the lvy League. A report conducted in early 2019 by Collegiate Sports Associates emphasizes the link between the large number of teams and the lack of competitiveness, and states that "without careful management and difficult decisions, the context can evolve into comprehensive competitive mediocrity."

Students who come to Brown to compete at the varsity level want to be competitive, and the current underperformance of varsity sports leads to suboptimal student experiences. In addition, varsity teams that aren't competitive are less likely to play a significant community-building role. The numbers and enthusiasm of the students, faculty, staff and alumni who came out for women's soccer this past fall and, a few years ago, for men's lacrosse, demonstrate that athletics has the potential to build community at Brown—provided that teams are competitive.

There are many reasons why Brown teams don't win more often. With financial resources spread across so many sports, team operating budgets are relatively low. This has resulted in low coaching salaries in many (although not all) sports, making it difficult to attract and retain top talent. The large number of sports also places stress on things that are not in team operating budgets: facilities for competition, practice and training; office space for coaches; funds to match competing financial aid offers and financial aid for international student athletes; funds for training and conditioning staff; and administrative time in the athletics department and the admissions office. The lack of adequate facilities is a major impediment, preventing some teams from being able to host competitions at Brown.

One of the most limited resources in athletics, which is not financial, is the number of admissions recruiting slots. Over the past 7 years, the number of slots has been increased from 205 to 230, and the ratio of slots to the size of the undergraduate student body is on the high side among our peers. Even so, with 38 varsity sports, not all teams have enough recruiting slots to fill their rosters. Teams that must rely on walk-ons are placed at a significant disadvantage.

Brown athletics should not be allowed to "evolve into comprehensive competitive mediocrity." It is time to make hard choices, by taking a comprehensive look at our menu of varsity and club teams, and examining whether a re-designation of some varsity teams to club and (possibly) some club teams to varsity would, in the long run, be better for our students and for Brown.

#### Committee charge:

Develop a proposal to rationalize the numbers and identities of varsity and club sports at Brown, with the goal of enhancing the experience of students who participate in both varsity and club sports; increasing competitiveness in varsity athletics; and building a stronger university community.

Specifically, the committee will assess existing varsity and club sports with respect to the criteria outlined below, and make recommendations about which sports should take on club or varsity status. The goal should be to reduce the overall number of varsity sports to no more than 25 (although I will be glad to see a report that offers options with numbers that range from 23 to 27.)

Primary criteria for evaluating whether a sport should have varsity status:

- 1. Does Brown have a track record of competitiveness in the sport? Are there reasons to think (based on current coaching staff or other special factors) that the sport could become competitive with reasonable increases in resources (financial and/or recruiting slots)?
- 2. Does Brown have adequate facilities for the sport? For example, are there places for practice and competition on or close to campus, and are Brown's facilities adequate to host competitions and tournaments? What resources would be needed to bring facilities up to standards, and is it realistic that funds for this purpose could be raised?
- 3. Does the sport have the potential to build community? For example, at colleges and universities with successful programs, does the sport attract a large fan base?

[Note that I am not including, as a criteria, the fraction of the sport's operating budget that is endowed. As discussed above, the team operating budget is only one of the factors that influences success. The endowment of any varsity team that is switched to club status would go to support the club sport.]

Finally, any plan must be compliant with the Title IX standards specified in Brown's consent decree. Basically, if Brown eliminates any women's varsity sports, the percentage of each gender participating in the program will have to be within 2.25% of each gender's participation in the undergraduate enrollment for the same academic year. This would be reduction from the current threshold of 3.50%.

#### Committee meetings and timeline

The committee will meet monthly (by Webex or in person) between March 2020 and June 2020. Briefing materials will be prepared prior to each meeting.

A tentative agenda is as follows:

#### March 2020:

- Overview of the competitiveness of each of Brown's varsity and (more competitive) club teams
- Briefing on Title IX
- Discussion of current and optimal roster sizes, and the allocation of recruiting slots

#### April 2020:

- Assessment of the adequacy of facilities for each sport
- Review of the operating budget for each sport
- Assessment of the current capacity of shared resources, like strength and conditioning, and training

#### May 2020:

• Interactive analysis of implications of different choices for recruiting slots, Al averages, and gender equity. Ideally all members will attend in person.

#### June 2020:

Discussion of and vote on final recommendations

Over the summer, the Athletics Department and the University will develop communications plans for students, parents, coaches, and alumni, and transition plans for coaches. The goal would be to announce changes in early fall, before seniors have made commitments to Brown, and allowing time for the University to counsel and assist students who want to transfer.

#### Confidentiality

This committee will work in complete confidentiality. Members will refrain from sharing any committee materials or the committee's deliberations.

#### Committee membership (tentative)

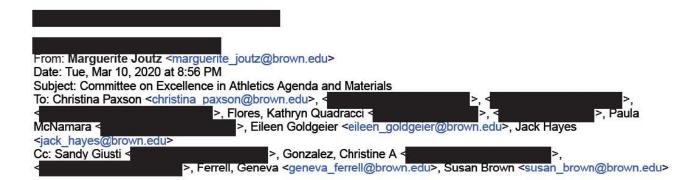
- Kevin Mundt, chair
- George Barrett
- Rich Caputo
- Kathryn Quadracci Flores
- Eileen Goldgeier
- Jim Kim
- Paula McNamara

The committee will be staffed by the senior members of the Athletics Department (Jack Hayes, Colin Sullivan, Jeanne Carhart and Carolan Norris)



# AGENDA Committee on Excellence in Athletics Meeting March 12, 2020 2:30 pm to 5:30 pm

- I. Discussion of Committee Charge (Chris Paxson and Kevin Mundt)
- II. Briefing on Title IX and other gender issues (Eileen Goldgeier)
- III. Overview of the competitiveness of each of Brown's varsity and highly competitive club teams (Jack Hayes)
- IV. Discussion of current and average roster sizes (comparing Ivy Group and NCAA average rosters), and the allocation of recruiting slots across varsity sports (Jack Hayes)
- V. Next steps



Dear Members of the Committee on Excellence in Athletics,

I am writing to share an agenda and materials in advance of the meeting on Thursday, March 12th. Attached please find the following confidential materials:

- · Committee charge
- Agenda for Thursday's meeting
- · Background Material on the Athletics Department
- Overview of Brown Athletics Buildings and Fields
- Presentation on Title IX in Athletics

As stated in the charge, please do not share any of these documents.

The first meeting of the Committee on Excellence in Athletics will be held via Zoom with subsets of the group meeting in person in New York and Providence. A calendar invitation was sent today that contains information on how to join the virtual meeting. Please let me or my colleague Sue Brown know if you have any questions about Zoom.

I also want to note that I will be sharing several documents via screen share during the meeting. I encourage you to join the meeting on a device that enables you to view the material on the shared device.

Thank you in advance for your participation.

Best, Marguerite

Marguerite Joutz Chief of Staff and Assistant to the President **Brown University** 104 University Hall Box 1860 Providence, RI 02912 +1 (401) 863-9212 (office) +1 (401) 339-9612 (cell)

Marguerite Joutz Chief of Staff and Assistant to the President **Brown University** 104 University Hall Box 1860 Providence, RI 02912 +1 (401) 863-9212 (office) +1 (401) 339-9612 (cell)

#### 5 attachments



- Committee on Excellence in Athletics\_Charge\_CONFIDENTIAL\_03.10.2020.pdf 184K
- Background Material on Brown University Athletics.pdf 231K
- Overview of Brown Athletics Building and Fields.pdf 5105K
- Title IX in Athletics\_03.10.2020.pdf 18334K

#### **Background Material on Brown University Athletics**

#### **Mission Statement**

In the spirit of a University that provides its students with educational opportunities both broad and deep, Brown is committed to sustaining one of the most wide-ranging NCAA Division I intercollegiate sports programs for men and women in the country. The athletic program plays an essential role in teaching students to conduct themselves with honesty and integrity, make sacrifices, strive for excellence, persevere through adversity, and compete with dignity and pride while developing a commitment to teamwork and service to the community.

Brown believes strongly that its athletic program should represent the same level of excellence and diversity found throughout the University, thereby providing the opportunity and encouragement for each student-athlete to reach his/her fullest intellectual and athletic potential. The common goal among Brown's athletic administrators, coaching staff, and scholar athletes is to achieve success at the highest level possible while abiding by the standards of good sportsmanship and ethical conduct. Moreover, the athletic program strives in providing equitable opportunities for women and minorities. In sum, Brown expects to produce scholar-athletes whose performance in the classroom and on the fields of play are a reflection of the values of this institution.

#### **Core Values**

#### Integrity

We are committed to the highest sense of integrity encompassing every aspect of our behavior as members of the Brown Community. We strive for high moral character, honor, respect and honesty in all our actions realizing that the strength of a community is based on the integrity of its members.

#### Strength in Community

We are a community encompassing our teams, the athletic department, the university, alumni, friends of Brown, and the surrounding Providence area. We serve as role models, mentors, and leaders seeking not only to teach others but also to learn from their diverse experiences. We take pride in creating and fostering life enhancing reciprocal relationships, which lead to a strong and vibrant community.

#### Individual Responsibility for a Common Goal

For every group endeavor, each individual bears responsibility and plays an important role in reaching the common goal.

#### Education of Mind, Body, and Spirit

We are all students and our department thrives as a learning environment. We are committed to the education of the mind, body, and spirit and view these pursuits as inseparable. We believe in the integrity of each individual.

#### Competitive Spirit

We use the competitive spirit and sportsmanship we develop as teammates to do our best to become the very best. Our goal is to win and to excel at the highest level while acting and competing in a way that reflects our core values.

Committee on Excellence in Athletics
Pride in Brown We are beneficiaries of a rich and living tradition forged by all the efforts of all those who have come before us. Our personal and team triumphs add to the growing pride that we share with the Brown Community. Through leadership, school spirit, and devoted alumni, we build on the Brown tradition and instill a pride in Brown Athletics that remains throughout a lifetime.

#### Overview of the Department of Athletics and Physical Education

38 Intercollegiate Sports (17 men's sports, 21 women's sports)

#### 30 Head Coaches

- One coach for men's and women's Cross Country, Indoor Track, and Outdoor Track
- One coach for men's and women's fencing
- One coach for men's and women's squash
- One coach for men's and women's water polo

Student-Athlete Participation (Academic Year 2018-19)

	Duplicated	Unduplicated
Male Participants	498 (48.9%)	437 (49.7%)
Female Participants	521 (51.1%)	443 (50.3%)
Total	1,019	880

Undergraduate Full-Time Enrollment (Academic Year 2018-19):

Male	3,113	(46.3%)
Female	3,613	(53.7%)
Total	6,626	

<u>Buildings</u> <u>Fields</u>

Center for Lacrosse and Soccer Flanders Family Fields
Olney-Margolies Athletic Center (OMAC) Tennis Courts

Nelson Fitness Center / Coleman Aquatics Center Attanasio Field at Murray Stadium

Pizzitola Sports Center

Meehan Auditorium

Stevenson-Pincince Field

Pembroke Field House

Goldberger Family Field

Brown Stadium

Meister-Kavan Field

Marston Boathouse

Edgewood Yacht Club

Merizen Goldberger Family Field

Meister-Kavan Field

Marvel Field

OMAC Roof Field

Varsity Sports with a Club Sport Counterpart

Baseball	Men's Swimming
Men's Basketball	Women's Swimming
Women's Basketball	Men's Cross Country
Field Hockey	Women's Cross Country
Men's Golf	Men's Squash
Women's Golf	Women's Squash
Men's Ice Hockey	Men's Tennis
Men's Lacrosse	Women's Tennis
Women's Lacrosse	Men's Soccer
Volleyball	Women's Soccer

#### Competitiveness

Teams finishing in the top half of the Ivy League (or other conference) over the past five years

#### Ivy Sports

Women's Cross Country	2	(2015, 2016)
Football	2	(2015, 2016)
Men's Soccer	3	(2015, 2016, 2017)
Women's Soccer	4	(2015, 2016, 2017, 2019)
Volleyball	1	(2019)
Men's Indoor Track	1	(2018)
Men's Basketball	2	(2019, 2020)
Women's Basketball	1	(2017)
Men's Swimming	1	(2020)
Women's Swimming	1	(2019)
Wrestling	2	(2019)
Men's Crew	4	(2015, 2016, 2018, 2019)
Women's Crew	5	(2015, 3016, 2017, 2018, 2019)
Women's Golf	1	(2018)
Men's Lacrosse	5	(2015, 3016, 2017, 2018, 2019)
Women's Lacrosse	1	(2019)
Men's Outdoor Track	2	(2015, 2016)
Women's Tennis	2	(2015, 2018)

#### Non-Ivy Sports

Gymnastics	4	(2015, 2016, 2017, 2018)
Women's Rugby	3	(2015, 2016, 2019)
Women's Skiing	4	(2016, 2017, 2019, 2020)
Men's Water Polo	3	(2015, 2016, 2019)

#### **Sports Sponsorship**

Sport	Ivy League Sponsorship	NCAA DI Sponsorship
Baseball	8	299
Basketball, Men's	8	351
Basketball, Women's	8	349
Cross Country, Men's	8	318
Cross Country, Women's	8	348
Equestrian	2	19
Fencing, Men's	7	20
Fencing, Women's	7	26
Field Hockey	8	77
Football	8	255 (125 FCS)
Golf, Men's	8	298
Golf, Women's	7	266
Gymnastics	4	60
Ice Hockey, Men's	6	60
Ice Hockey, Women's	6	36
Lacrosse, Men's	7	74
Lacrosse, Women's	8	117
Rowing, Men's	8	30
Rowing, Women's	8	88
Rugby, Women's	3	8
Skiing, Women's	3	11
Soccer, Men's	8	204
Soccer, Women's	8	335
Softball	8	296
Squash, Men's	8	14
Squash, Women's	8	12
Swimming & Diving, Men's	8	132
Swimming & Diving, Women's	8	193
Tennis, Men's	8	251
Tennis, Women's	8	311
Track & Field (I), Men's	8	270
Track & Field (I), Women's	8	333
Track & Field (O), Men's	8	289
Track & Field (O), Women's	8	340
Volleyball	8	333
Water Polo, Men's	3	25
Water Polo, Women's	3	34
Wrestling	6	78

<sup>\*</sup> As of September 1, 2019

#### **Sports Sponsorship by Conference**

America East Conference 18.1 Sports

Stony Brook, Binghamton, Albany, Hartford, Maine, UMBC, UMass-Lowell, New Hampshire, Vermont

Patriot League 20.9 Sports

American, Boston U., Bucknell, Colgate, Holy Cross, Lafayette, Lehigh, Loyola, Army, Navy

Big East Conference 18.2 Sports

Butler, Creighton, DePaul, Georgetown, Marquette, Providence, Seton Hall, St. John's, Villanova, Xavier

Northeast Conference 22.4 Sports

Bryant, Central Connecticut, Fairleigh Dickinson, Long Island U., Merrimack, Mt. St. Mary's, Robert Morris, Sacred Heart, St. Francis PA, St. Francis NY, Wagner

Atlantic Coast Conference 22.4 sports

Boston College, Duke, Florida State, Georgia Tech, NC State, Syracuse, Louisville, Miami, North Carolina, Pittsburgh, Virginia, Virginia Tech, Wake Forest

Big Ten Conference 24.9 Sports

Illinois, Indiana, Iowa, Maryland, Michigan, Michigan State, Minnesota, Nebraska, Northwestern, Ohio State, Penn State, Purdue, Rutgers, Wisconsin

Southeastern Conference 20 Sports

Alabama, Arkansas, Auburn, Florida, Georgia, Kentucky, Louisiana State, Mississippi, Mississippi State, Missouri, Texas A&M, South Carolina, Tennessee, Vanderbilt

#### The Ivy League

Since 1954, the Ivy League has established and occasionally amended a Statement of Principles that governs intercollegiate athletic competition. The Statement of Principles serves as the Ivies' unique signature relating to intercollegiate varsity sports.

The original Ivy Agreement (1954) provides, in part, the following:

The Group affirm[s] their conviction that under proper conditions intercollegiate competition in organized athletics offers desirable *development* and recreation for players and a healthy focus of collegiate loyalty. . . . In the total life of the campus, emphasis upon intercollegiate completion must be kept in harmony with the essential educational purposes of the institution.

To this end, the Group will *foster intra-group athletic completion in all sports*. No member institution, however, shall necessarily field a team in every sport.

Over the decades, the Ivy League has amended the Statement of Principles to provide, in part, the following:

- 1. Intercollegiate athletics ought to be maintained within a perspective that holds paramount the academic programs of the institution and the academic and personal growth of the student athlete.
- 2. The member schools are committed to equal opportunities in athletics for men and women.
- 3. The member schools ought to look primarily within the Group for standards of competitive excellence and, for most sports, ought to measure success or failure in competition with each other.
- 4. Each member school ought not to merely tolerate, but to value a balance of competitive success within the Group. Although schools may differ in those sports in which they excel, a reasonable competitive balance among institutions over time over all sports should be sought.

Ivy League Manual (2019-2020), pp. 1-5.

#### Overview

Currently, Brown University's athletics program offers 38 varsity sports and 33 club sports, which is third largest in the country after Stanford University and Harvard University. Each year, this program provides over a thousand Brown students with valuable opportunities to compete and experience the developmental benefits that come with athletics participation. Although the benefits of athletic participation are clear, the large numbers of varsity sports at Brown present a significant challenge for competitive excellence and has not offered a balance of competitive success across sports within the Ivy League, as articulated in the Statement of Principles. In the decade from 2009 to 2018, Brown garnered only 2.8% of Ivy titles, the lowest in the Ivy League.

Students who attend Brown and compete at the varsity level want to experience competitive play with success, and the current underperformance of varsity sports leads to suboptimal student experiences on their varsity teams. In addition, non-competitive varsity teams are less likely to build a cohesive Brown

#### CONFIDENTIAL (03/10/2020)

community, as compared to competitive varsity teams, such as the outpouring of community support and spirit that developed during the Women's Soccer Ivy League Championship season in fall 2019.

Several factors can be examined to determine whether Brown should re-focus its efforts on perhaps a smaller and different menu of varsity teams so as to increase the competitive balance within the lvy League and to pursue a standard of excellence at Brown.

#### **Committee Charge**

The charge of this committee is to develop a proposal with recommendations to determine the numbers and identities of varsity and highly competitive club sports at Brown which accommodate the students' athletic interests and abilities. The goals of this endeavor is to enhance the quality of the student experience in athletics, provide for gender equity, ensuring diversity and inclusion, sustaining reasonable support for the pursuit of excellence, increasing competitiveness in varsity athletics, and building a stronger university community with a focus on collegiate loyalty.

The following criteria will be assessed for all varsity sports and some of the highly competitive club sports:

- 1. Are there available competitive opportunities within the Ivy League and/or peer institutions to maintain a competitive varsity schedule or club schedule?
- 2. Does Brown have quality facilities or use of quality facilities in Rhode Island for the sport which can be used to host athletic contests, competitions and tournaments?
- 3. What are the average roster sizes of the sports within the Ivy League and the NCAA and how do those averages measure up to Brown's five-year roster averages?
- 4. How might Brown utilize its recruiting admissions slots more effectively to re-focus its efforts on perhaps a smaller and different menu of varsity sports?
- 5. Determine the opportunities for male and female student-athletes so that there is substantial proportionality with the undergraduate population as required by Title IX and Brown's consent decree.
- 6. Does the varsity sport or a highly competitive club sport have the potential to build and strengthen community?
- 7. How competitive within the Ivy League has each team been over the past 10 years, and for non-Ivy sports, how competitive has the team been within the appropriate sport association (e.g. ECAC and IRA)?

#### **Committee Meetings and Timeline**

The committee will meet monthly (by Zoom or in person) between March 2020 and June 2020. A tentative agenda is as follows:

#### March 2020:

- Discussion of committee charge
- Briefing on Title IX standards and other gender equity issues
- Overview of the competitiveness of each of Brown's varsity and highly competitive club teams.

#### CONFIDENTIAL (03/10/2020)

• Discussion of current and average roster sizes (comparing Ivy Group and NCAA average rosters), and the allocation of recruiting slots across varsity sports

#### April 2020:

- Assessment of facilities for each sport
- Assessment of the current capacity of shared facilities (e.g. training rooms)
- Review of the operating budget for each sport

#### May 2020

 Interactive analysis of implications of different choices for recruiting slots, Al averages, operating expenses, gender equity, and diversity and inclusion. Ideally, all members will attend this meeting in person.

#### June 2020:

• Discussion of and vote on final recommendations

#### **Committee members**

- Kevin Mundt, chair
- Richard Caputo, Jr.
- Kathryn Quadracci Flores
- Earl Hunt
- Jonathan M. Nelson
- Paula McNamara
- Eileen Goldgeier (ex officio)

The committee will be staffed by Jack Hayes, Director of Athletics, and Marguerite Joutz, Chief of Staff and Assistant to the President.

CONFIDENTIALITY: THE COMMITTEE WILL WORK IN COMPLETE CONFIDENTIALITY. MEMBERS SHALL REFRAIN FROM SHARING ANY COMMITTEE MATERIALS OR THE COMMITTEE'S DELIBERATIONS. SOME INFORMATION PROVIDED MAY BE PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE.





## Legal Framework of Title IX in Athletics

## 34 C.F.R §106.41 Athletics

#### (a) General.

No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be treated differently from another person or otherwise be discriminated against in any interscholastic, intercollegiate, club or intramural athletics.

#### (b) Separate Teams.

A recipient may operate or sponsor separate teams for members of each sex where selection for such teams is based upon competitive skill or the activity involved is a contact sport (i.e. boxing, wrestling, rugby, ice hockey, football, basketball, etc.).

#### (c) Equal Opportunity

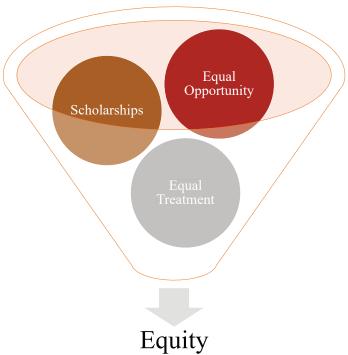
A recipient which operates or sponsors interscholastic, intercollegiate, club or intramural athletics shall provide equal athletic opportunity for members of both sexes (see "laundry list").







## Title IX Athletic Equity





BROWN2020\_00000589 Ex. 27, Pg. 4

## Title IX Athletic Equity - Equal Treatment

## • Scheduling of games and practices

• Coaching: staffing, experience, and compensation

• Locker rooms, practice and competitive facilities

- Academic services
- Equipment and supplies
- Medical, training, strength and conditioning
- Communications and on-campus dining
- Travel and Per Diem
- Support services/director of operations
- Recruitment

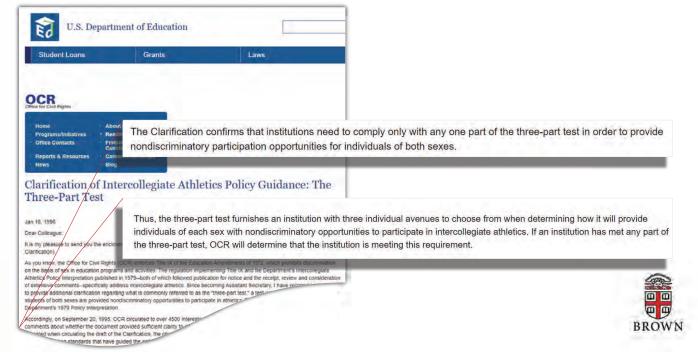
"Laundry List"



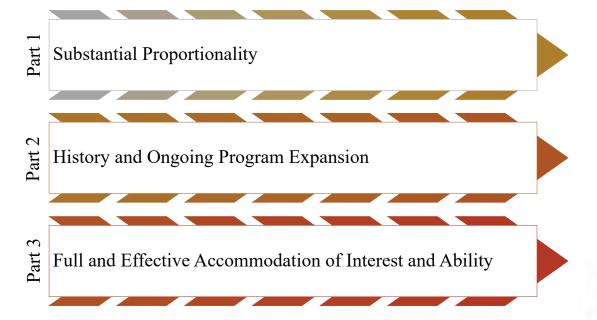




## Title IX Athletic Equity - Equal Opportunity



## $Title\ IX\ Athletic\ Equity\ \textbf{-}\ Equal\ Opportunity}-3\ Part\ Test$





Ex. 27, Pg. 7

#### Part 1

Institution provides intercollegiate level athletic participation opportunities for male and female students in a number substantially proportionate to their respective full-time undergraduate enrollment numbers



#### **OCR** Analysis

OCR analyzes those athletes who:

- are receiving institutionsponsored support;
- are participating in organized activities during a sport's season;
- are listed on the eligibility squad list; and
- who, because of injury, cannot meet 1, 2, or 3 above but continue aid based on athletic ability.



Example A

Institution A has a total of 600 athletes. Women make up 52% of the University's enrollment, but only represent 47% of its athletes. If the University provided women with 52% of athletic opportunities, approximately 62 additional women would be able to participate. Because this is a significant number of unaccommodated women, it is likely that a viable sport could be added.

**Institution A has not met Part 1** 

Example B

Institution B has a total of 60 athletes. Women make up 52% of the University's enrollment, but only represent 47% of its athletes. If the University provided women with 52% of athletic opportunities, approximately 6 additional women would be able to participate. 6 participants are unlikely to support a viable team.

Institution B would be able to meet Part 1



#### Part 2

An institution can show that it has a history and continuing practice of program expansion which is demonstrably responsive to the developing interests and abilities of the underrepresented sex.



#### **OCR** Analysis

OCR will review the entire history of the athletic program including an institution's

- record of adding or upgrading intercollegiate teams for the underrepresented sex;
- increasing the numbers of participants for the underrepresented sex; and
- affirmative responses to requests by students or others for addition or elevation of sports.



#### Part 3

Is the institution fully and effectively accommodating the interests and abilities of its students who are members of the underrepresented sex - including students who are admitted to the institution though not yet enrolled.



#### **OCR** Analysis

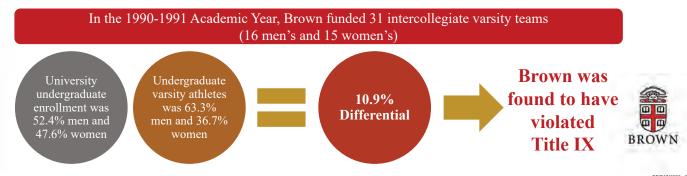
- In making its determination, OCR will consider whether there is:
  - unmet interest in a particular sport;
  - sufficient ability to sustain a team in the sport; and
  - a reasonable expectation of competition for the team.

If all three conditions are present OCR will find that an institution has not fully and effectively accommodated the interests and abilities of the underrepresented sex.



#### Cohen v. Brown – Class Action Lawsuit

- Brought in Rhode Island federal court against the University, Brown's President, and Brown Athletics Director
- Plaintiff class comprised of all present, future, and potential Brown women students who participate, seek to participate, and/or are deterred from participating in intercollegiate athletics funded by Brown
- The suit arose in response to Brown's decision in May 1991 to demote 4 varsity teams from University-funded varsity status to donor-funded varsity status
- The demoted teams were women's gymnastics and volleyball and men's water polo and golf



BROWN2020\_00000597 Ex. 27, Pg. 12

## Cohen v. Brown – Achieving Compliance: Part 1

- The district court certified the class and denied Brown's motion to dismiss
- Preliminary injunction issued against Brown, ordering the reinstatement of women's gymnastics and volleyball to University-funded status and prohibiting the elimination or reduction in the status of funding of any existing women's varsity team until case resolved

1993

• Brown appealed preliminary injunction to the First Circuit, which upheld the district court's decision

1995

- The district court ruled that Brown was in violation of Title IX
- Brown was ordered to submit a comprehensive plan for coming into compliance



## Cohen v. Brown – Achieving Compliance: Part 1

- Brown submitted a plan which was rejected by the district court
- The district court pointed out that Brown could achieve compliance in a number of ways:
  - Eliminate its athletic program altogether
  - Elevate or create the requisite number of women's positions
  - Demote or eliminate the requisite number of men's positions
  - Implement a combination of these remedies

• Brown appealed to the First Circuit, which upheld the judgment, but reversed the remedial order and remanded the case back to the district court

• The First Circuit reasoned that, as part of academic freedom universities deserve great leeway in their operations, and thus, Brown should be able to determine how it will bring itself into compliance with Title IX:

"Our respect for academic freedom and reluctance to interject ourselves into the conduct of university affairs counsels that we give universities as much freedom as possible in conducting their operations consonant with constitutional and statutory limits"



1996

1

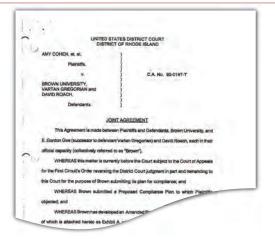
## Cohen v. Brown – Achieving Compliance: Part 1



• On remand to the district court, Brown was ordered to submit its revised plan for compliance



• The district court gave final approval to the Joint Agreement and entered judgment for the plaintiffs against Brown





BROWN2020\_00000600 Ex. 27, Pg. 15

## Cohen v. Brown – The Joint Agreement

- The Joint Agreement was entered October 9, 1998
- Indefinite in duration
- Contains mechanisms to bring Brown back into compliance if allowable variance is exceeded



The University will maintain no more than a 3.5% variance between percentage of women in the undergraduate population and the percentage of women varsity athletes





## Cohen v. Brown - Proportionality

Certain changes to the University's athletic program trigger a reduction in the permitted variance to 2.25%

#### The triggers are:

The elimination of intercollegiate athletic teams for women or of co-ed teams or the change in status of intercollegiate athletic teams for women or co-ed teams from the university-funded to the donor-funded level

The replacement or substitution of existing intercollegiate athletic teams for women or co-ed teams at the university or donor-funded level

The creation of intercollegiate athletic teams for men at the university or donor-funded level

The change of intercollegiate athletic teams for men from the donor-funded to the universityfunded level



## Brown Recent History of Variances

Year	Variance
2009-2010	5.60%
2010-2011	0.91%
2011-2012	1.11%
2012-2013	0.34%
2013-2014	0.99%
2014-2015	1.43%
2015-2016	1.18%
2016-2017	2.63%
2017-2018	2.87%
2018-2019	2.68%





## **Funding Determination**

- Private donations are institutional dollars
- Goods and services provided through private funding will be included in any equity analysis

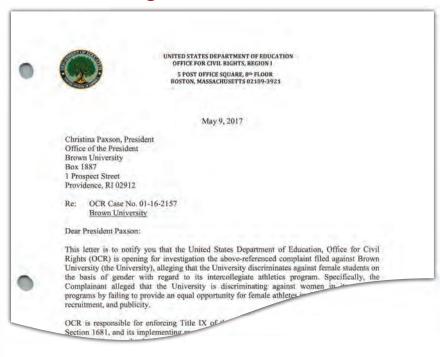
"A school may not skirt the requirement of providing both sexes equal opportunity in athletic programs by providing one sex more than substantially proportionate opportunity through the guise of 'outside funding." (Chalenor v. Univ. of North Dakota)







## Brown Pending Title IX Matter



#### Complainant:

Unknown

#### **Allegations:**

Brown discriminates against female students on the basis of gender with regard to its intercollegiate athletics program.

Specifically, that Brown discriminates against women by failing to provide an equal opportunity for female athletes in the areas of coaching, recruitment, and publicity.



Rating: 1=Seriously deficient, 2=Poor, 3=Fair, 4=Good, 5=Very good

Sport	Competitiveness	Facilities or locational advantage	Potential Community impact	Average rating
Mens				
Lacrosse	5	5	5	5.0
Crew	5	4	4	4.3
Sailing (coed)	5	5	3	4.3
Soccer	3	5	5	4.3
Basketball	4	3	5	4.0
Water polo	3	5	4	4.0
Football	2	4	5	3.7
Swim-dive	2	5	3	3.3
Baseball	2	4	3	3.0
Ice Hockey	3	2	4	3.0
Wrestling	2	3	3	2.7
Fencing	2	1	1	1.3
Golf	1	2	1	1.3
Tennis	2	1	1	1.3
Track& Field + CC	2	1	1	1.3
Squash	1	1	1	1.0

Womens				
Soccer	5	5	5	5.0
Crew	5	4	4	4.3
Lacrosse	3	5	5	4.3
Sailing (coed)	5	5	3	4.3
Sailing (womens)	5	5	3	4.3
Water polo	4	5	4	4.3
Swim-dive	3	5	3	3.7
Basketball	2	3	5	3.3
Rugby	3	4	3	3.3
Volleyball	3	3	4	3.3
Field Hockey	2	4	3	3.0
Gymnastics	3	3	3	3.0
Softball	2	4	3	3.0
Ice Hockey	1	2	4	2.3
Golf	2	2	1	1.7
Tennis	2	1	1	1.3
Track& Field +CC	2	1	1	1.3
Equestrian	1	1	1	1.0
Fencing	1	1	1	1.0

Skiing	1	1	1	1.0
Squash	1	1	1	1.0

	Campus	Alumni community	Overall score
Mens			
Lacrosse			#DIV/0!
Sailing (coed)			#DIV/0!
Soccer			#DIV/0!
Basketball			#DIV/0!
Crew			#DIV/0!
Ice Hockey			#DIV/0!
Water polo			#DIV/0!
Football			#DIV/0!
Swim-dive			#DIV/0!
Wrestling			#DIV/0!
Baseball			#DIV/0!
Tennis			#DIV/0!
Fencing			#DIV/0!
Golf			#DIV/0!
Track& Field + CC			#DIV/0!
Squash			#DIV/0!

Womens	
Basketball	#DIV/0!
Crew	#DIV/0!
Equestrian	#DIV/0!
Fencing	#DIV/0!
Field Hockey	#DIV/0!
Golf	#DIV/0!
Gymnastics	#DIV/0!
Ice Hockey	#DIV/0!
Lacrosse	#DIV/0!
Rugby	#DIV/0!
Sailing (coed)	#DIV/0!
Sailing (womens)	#DIV/0!
Skiing	#DIV/0!
Soccer	#DIV/0!
Softball	#DIV/0!
Squash	#DIV/0!
Swim-dive	#DIV/0!
Tennis	#DIV/0!
Track& Field +CC	#DIV/0!
Volleyball	#DIV/0!
Water polo	#DIV/0!

From: Paxson, Christina <christina paxson@brown.edu>

Date: Wed, Apr 8, 2020 at 9:02 AM Subject: materials for our meeting today

To: Kevin A. Mundt '76 < >, Jack Hayes <jack\_hayes@brown.edu>

Cc: Marguerite Joutz <marguerite joutz@brown.edu>

#### Dear Kevin and Jack

I am attaching materials for today. These present the baseline (current) state, and two scenarios, each with and without reductions to the football roster. Please ignore the "diversity" numbers-they are not correct, and will be fixed in the next iteration.

Thanks, Chris

Christina H. Paxson President Professor of Economics and Public Policy **Brown University** 

Marguerite Joutz Chief of Staff and Assistant to the President **Brown University** 104 University Hall Box 1860 Providence, RI 02912 +1 (401) 863-9212 (office) +1 (401) 339-9612 (cell)



	Current	Implement optimal
#sports	38	29
#athletes, total	1075	924
#athletes, men	526	420
#athletes, women	550	504
% women	51.11%	54.55%
#slots, total	220	234
#slots, men	119	111
#slots, women	102	122
%women	46.14%	52.36%
diversity	29.06%	26.51%

		Impleme
		nt
	Current	optimal
#sports	38	29
#athletes, total	1075	904
#athletes, men	526	400
#athletes, women	550	504
% women	51.11%	55.75%
#slots, total	220	229
#slots, men	119	106
#slots, women	102	122
%women	46.14%	53.50%
diversity	29.06%	26.32%



# AGENDA Committee on Excellence in Athletics Meeting April 17, 2020 9:00 am to 11:00 am

- I. Review from kick-off meeting
- II. Overview of possible scenarios
- III. Discussion
- IV. Next steps

# Baseline Numbers and Statistics

April 17, 2020

## Institutional Variances

Analysis of Male to Female Participation in Proportion to Full-time Undergraduate Enrollment			
Institution	Variance*		
Brown University	2.59%		
Columbia University	1.84%		
Cornell University	9.17%		
Dartmouth College	2.54%		
Harvard University	2.14%		
University of Pennsylvania	10.20%		
Princeton University	7.11%		
Yale University	6.08%		

<sup>\*</sup>Calculation based on the self-reported number of participants as of the day of the first scheduled contest for the reporting academic year 2018-2019 from the Equity in Athletics Data Analysis (EADA) database (https://ope.ed.gov/athletics/#/institution/search).

# Student-Athlete Participation (Academic Year 2018-19)

	Duplicated	Unduplicated
Male Participants	498 (48.9%)	437 (49.7%)
Female Participants	521 (51.1%)	443 (50.3%)
Total	1,019	880

# Undergraduate Full-Time Enrollment (Academic Year 2018-19):

Male	3,113	(46.3%)
Female	3,613	(53.7%)
Total	6,626	

# Championship & Runner-Up Finishes - Last Five Years

Women's Soccer - 2 Women's Crew - 4

Men's Lacrosse - 3

Wrestling - 1

# Committee on Excellence in Athletics Meeting

April 17, 2019

# Review from last meeting

## Goals

- Improve competitiveness of Brown varsity athletics
- Improve club sports
- Provide equal opportunity to male and female athletes

## Consent Decree

- Eliminating any woman's teams reduces variance from 3.5% to 2.25%
- Currently, about 53% of Brown undergraduate students are women

# Data in tables

### Roster size

- Brown: average at Brown over 5 years
- Winning: average over 5 years of rosters of championship teams
- Optimal: roster needed at Brown to promote competitiveness (Jack's view)

## Support slots

- Brown: average slots given over 5 years
- Optimal: slots needed to support optimal roster (Jack's view)
- Diversity: Fraction athletes who are HUG (Black, Latinx, Native/Indigenous)

# Baseline for Men's sports

		Roster	Support slots		
Sport	Brown	Winning	Optimal	Brown	Optimal
Baseball	28	32	32		
Basketball	14	16	16		
Crew	51	52	50		
Fencing	12	15	12		
Football	107	120	120		
Golf	8	9	10		
Ice Hockey	27	28	28		
Lacrosse	38	50	50		
Soccer	26	28	28		
Squash	12	14	12		
Swim-dive	27	36	36		
Tennis	12	12	12		
Track, Field & CC (3)	100	100	100		
Water polo	18	18	18		
Wrestling	25	36	30		
SUBTOTAL VARSITY MENS	526	593	581	119	14

# Baseline for Women's Sports

	Roster				Support slots	
Sport	Brown	Winning	Optimal	Brown	Optimal	
Basketball	14	16	16			
Crew	54	54	54			
Equestrian	33	33	33			
Fencing	14	15	12			
Field Hockey	22	24	26			
Golf	9	9	10			
Gymnastics	17	20	24			
Ice Hockey	23	28	28			
Lacrosse	30	32	32			
Rugby	30	32	36			
Skiing	8	12	10			
Soccer	25	30	30			
Softball	18	20	20			
Squash	13	14	12			
Swim-dive	31	40	40			
Tennis	10	12	12			
Track, Field & CC (3)	129	110	110			
Volleyball	18	17	20			
Water polo	22	20	20			
SUBTOTAL VARSITY WOMENS	550	669	681	102	2 14	

# Baseline summary

	Current	Implement optimal
#sports	38	38
#athletes, total	1075	1099
#athletes, men	526	554
#athletes, women	550	545
% women	51.1%	49.6%
#slots, total	220	263
#slots, men	119	133
#slots, women	102	129
%women	46.1%	49.2%
diversity	18.8%	19.5%

Note: numbers may not add up due to rounding

#### Notes:

- If no changes were made to the number of varsity sports, but we implemented optimal roster sizes and support slots, we would need to have 262 support slots per year (32 over current maximum) and add 24 student athletes
- This demonstrates one reason why we are not competitive: we are stretching support slots too thinly across too many sports
- Note that about 19% of studentathletes are HUG. The overall at Brown for undergrads is 21%

### Two scenarios

Blue: Common across scenarios Red: Different across scenarios

### Scenario 1

Major change: cut men's track, field & CC, cut women's track and field

#### Covert to club or cut

- Fencing (m/w)
- Golf (m/w)
- Skiing (w)
- Squash (m/w)
- Tennis (m)
- Track & Field (m/w)
- Cross country (m)

#### Add

Sailing (coed, w)

#### Scenario 2

Major change: Keep women's track, field & CC; keep men's CC, cut men's & women's tennis

#### Covert to club or cut

- Fencing (m/w)
- Golf (m/w)
- · Skiing (w)
- Squash (m/w)
- Equestrian (w)
- Tennis (m/w)
- Track, Field & CC (m)

#### Add

Sailing (coed, w)

# Scenario 1a (note: sports in blue are cut or added in all scenarios, red differ across scenarios)

### Covert to club or cut

- Fencing (m/w)
- Golf (m/w)
- Skiing (w)
- Squash (m/w)
- Tennis (m)
- Track & Field (m/w)
- Cross country (m)

#### Add

Sailing (coed, w)

#### Notes

- Gender balance too low
- Slots under 230 maximum
- Diversity declines

	Current	Implement optimal
#sports	38	27
#athletes, total	1075	872
#athletes, men	526	420
#athletes, women	550	452
% women	51.1%	51.8%
#slots, total	220	227
#slots, men	119	111
#slots, women	102	115
%women	46.1%	50.9%
diversity	18.8%	16.7%

Note: numbers may not add up due to rounding

# Scenario 1b: Same as Scenario 1a but reduce football roster from 120 to 100

#### Covert to club or cut

- Fencing (m/w)
- Golf (m/w)
- Skiing (w)
- Squash (m/w)
- Tennis (m)
- Track & Field (m/w)
- Cross country (m)

#### Add

Sailing (coed, w)

#### **Notes**

- Gender balance is good
- Slots are under 230 maximum
- · Diversity declines

	Current	Implement optimal
#sports	38	27
#athletes, total	1075	852
#athletes, men	526	400
#athletes, women	550	452
% women	51.1%	53.1%
#slots, total	220	222
#slots, men	119	106
#slots, women	102	115
%women	46.1%	52.0%
diversity	18.8%	16.4%

Note: numbers may not add up due to rounding

# Scenario 1a & 1b comments

## **Advantages**

- Frees up space in OMAC for other sports
- No need to maintain track at football stadium when field is turfed
- 11 fewer existing varsity teams to support
- Added teams (sailing) have excellent facilities, are already well-supported, and are competitive

## Disadvantages

- Gender balance works only if football roster reduced
- Keeps a number of weaker women's teams, most notably equestrian
- Worse on diversity

## Scenario 2a

#### Covert to club or cut

- Fencing (m/w)
- Golf (m/w)
- Skiing (w)
- Squash (m/w)
- Equestrian (w)
- Tennis (m/w)
- Track, Field & CC (m)

#### Add

Sailing (coed, w)

#### **Notes**

- Gender balance is good
- Diversity largely unchanged
- Support slots over maximum by 1

	Current	Implement optimal
#sports	38	27
#athletes, total	1075	912
#athletes, men	526	420
#athletes, women	550	492
% women	51.1%	53.9%
#slots, total	220	231
#slots, men	119	111
#slots, women	102	119
%women	46.1%	51.7%
diversity	19.0%	18.5%

Note: numbers may not add up due to rounding

# Scenario 2b: Same as 2a but football roster reduced from 120 to 100

#### Covert to club or cut

- Fencing (m/w)
- Golf (m/w)
- Skiing (w)
- Squash (m/w)
- Equestrian (w)
- Tennis (m/w)
- Track, Field & CC(m)

#### Add

Sailing (coed, w)

#### Notes

- Gender balance is excellent
- Diversity down very slightly
- Support slots under maximum

	Current	Implement optimal
#sports	38	27
#athletes, total	1075	892
#athletes, men	526	400
#athletes, women	550	492
% women	51.1%	55.2%
#slots, total	220	226
#slots, men	119	106
#slots, women	102	119
%women	46.1%	52.9%
diversity	19.0%	18.2%

Note: numbers may not add up due to rounding

# Scenario 2a & 2b

## **Advantages**

- Eliminating tennis for men and women opens up the 4<sup>th</sup> floor of the Pizzatola for basketball court (used by numerous sports)
- Maintains women's track, field & CC as the large women's sport that balances football—become "the" place for women's track, field & CC?
- Able to cut weaker women's teams that would have been maintained under Scenario 1
- Gender balance is good, even without reducing football roster, and is excellent with reduction in football roster

## Disadvantages

 Have to maintain track and field space—which is not suitable for large competitions

# Final list of sports under scenarios 1 & 2

## Scenario 1

Men's	Women's
1. Baseball	1. Basketball
2. Basketball	2. Cross country
3. Crew	3. Crew
4. Football	4. Equestrian
5. Ice Hockey	5. Field Hockey
6. Lacrosse	6. Gymnastics
7. Soccer	7. Ice Hockey
8. Swim-dive	8. Lacrosse
9. Water polo	9. Rugby
10. Wrestling	10. Sailing (w)
Coed	11. Soccer
1. Sailing (coed)	12. Softball
	13. Swim-dive
	14. Tennis
	15. Volleyball
	16. Water polo

### Scenario 2

Men's	Women's
1. Baseball	1. Basketball
2. Basketball	2. Crew
3. Crew	3. Field Hockey
4. Football	4. Gymnastics
5. Ice Hockey	5. Ice Hockey
6. Lacrosse	6. Lacrosse
7. Soccer	7. Rugby
8. Swim-dive	8. Sailing (w)
9. Water polo	9. Soccer
10. Wrestling	10. Softball
Coed	11. Swim-dive
1. Sailing (coed)	12. Track
	13. Field
	14. Cross country
	15. Volleyball
	16. Water polo

# Discussion



# AGENDA Committee on Excellence in Athletics Meeting May 14, 2020 8:30 am to 10:00 am

- I. Review and final discussion of scenarios
- II. Overview of proposed communications
- III. Next steps



# Excellence in Athletics

Corporation Committee on Campus Life

May 14, 2020

BROWN2020\_ 00000509 Ex. 25, Pg. 1



## Purpose of today's meeting

- Discuss the findings of the Committee on Athletics Excellence, in advance of the upcoming Corporation meeting
- Vote on whether or not to move this recommendation forward to the Corporation

This meeting is strictly confidential. <u>Please do not discuss with others outside of this committee</u>.



## Background: competitive excellence

- Brown, a member of the Ivy League, currently has 38 Varsity sports (17 men's and 21 women's) as well as a number of highly competitive club sports
- Although there are some bright spots, Brown has not been competitive in the Ivy League, winning 2.8% of championships in the past 10 years.
- This is inconsistent with one of the core values of Ivy League:
  - "Each member school ought not to merely tolerate, but to value a balance of competitive success within the Group. Although schools may differ in those sports in which they excel, a reasonable competitive balance among institutions over time over all sports should be sought."
- More importantly, it is inconsistent with Brown's approach to targeted excellence in all that we do, in academic and other pursuits

BROWN2020\_ 00000511 Ex. 25, Pg. 3



## Background: Gender equity & Title IX

- Brown has a strong commitment to providing equal opportunity to women and men in varsity athletics
- A 1998 Consent Decree established that the fraction of varsity athletics opportunities for women can not be more than 3.5% below the fraction of undergraduate students who are women. If <u>any</u> women's varsity sport is eliminated, the variance goes from 3.5% to 2.25%
- Example: If 51% of undergraduate students are women, the fraction of women athletes who are female cannot currently drop below 47.5%. If a women's sport is cut, the threshold would be 48.75%
- Over time, the fraction of undergraduate students who are women has risen, creating pressure to under-roster men's teams relative to women's teams
- Maintaining gender equity in athletics is not just about compliance with the consent decree and Title IX: it is also the right thing to do

BROWN2020\_ 00000512 Ex. 25, Pg. 4



#### Timeline of work on athletics

- August 2018: "Increasing the competitiveness of varsity athletics" is shared with the Corporation as one of my annual priorities.
- **November 2018**: Brown commissioned Collegiate Sports Associates (CSA) to conduct a review of varsity athletics at Brown.
- **February 2019**: The Campus Life Committee discusses the recommendations of the CSA report. Several recommendations were subsequently implemented.
- A current that ran through the report, which was confirmed more directly in my private conversations with the review team, was that we have too many varsity teams relative to resources (facilities, admissions support slots, international financial aid, operating budgets)
- **December 2019**: Established a Committee on Excellence in Excellence, chaired by trustee emeritus Kevin Mundt, who also chairs the Athletics Advisory Council

BROWN2020\_ 00000513 Ex. 25, Pg. 5



## Committee membership

- Kevin Mundt '76, chair
- Richard Caputo, Jr. '88
- Kathryn Quadracci Flores '90
- Eileen Goldgeier '85 (and ex officio as GC)
- Earl Hunt '03
- Jonathan M. Nelson '77
- Paula McNamara'84



## Committee charge

The charge of this committee is to develop a proposal with recommendations to determine the **numbers and identities of varsity and highly competitive club sports** at Brown which accommodate the students' athletic interests and abilities.

The goals of this endeavor is to enhance the quality of the student experience in athletics, provide for gender equity, ensuring diversity and inclusion, sustaining reasonable support for the pursuit of excellence, increasing competitiveness in varsity athletics, and building a stronger university community with a focus on collegiate loyalty.

BROWN2020\_ 00000515 Ex. 25, Pg. 7



### The committee was asked to consider:

- 1. Are there available **competitive opportunities** within the Ivy League and/or peer institutions to maintain a competitive varsity schedule or club schedule?
- 2. Does Brown have quality facilities or use of quality facilities in Rhode Island for the sport which can be used to host athletic contests, competitions and tournaments?
- 3. What are the average **roster sizes** of the sports within the Ivy League and the NCAA and how do those averages measure up to Brown's five-year roster averages?
- 4. How might Brown utilize its **recruiting admissions slots** more effectively to re-focus its efforts on perhaps a smaller and different menu of varsity sports?
- 5. Determine the **opportunities for male and female student-athletes** so that there is substantial proportionality with the undergraduate population as required by Title IX and Brown's consent decree.
- 6. Does the varsity sport or a highly competitive club sport have the **potential to build and strengthen community?**
- 7. How **competitive** within the Ivy League has each team been over the past 10 years, and for non-Ivy sports, how competitive has the team been within the appropriate sport association?



### Resources

- The committee was assured that changing the number and composition of varsity and club sports would NOT be accompanied by:
  - A reduction in the number of admissions recruiting slots
  - A decline in the operating budget for athletics
- The number of recruiting slots to remain at 230 (up from 205 in 2012)
- Operating budgets to be strategically reallocated to varsity and club sports
- To the extent that varsity sports to be converted to club status have endowments, the endowment would follow the sport (subject to donor preferences)

BROWN2020\_ 00000517 Ex. 25, Pg. 9



## What the committee did

- 1. Reviewed the competitive record for each sport
- 2. Reviewed the quality of facilities for practice and competitions
- 3. Discussed other factors, like need for international financial aid
- 4. Assessed each varsity sport plus two of the highly-competitive club sports (co-ed and women's sailing) for:
  - Competitiveness
  - Facilities for practice and competitions; locational advantages
  - Potential "community impact"—school spirit, alumni engagement



## Example of analysis with two sports

	Swimming	Squash
Facilities	Pool is best in Ivy League	Squash courts are worst in Ivy League
International financial aid	Not a priority in swimming	60% of the First-Team All-Ivy honorees in last 4 years were international students
Recent finishes	Men: 4 <sup>th</sup> this year Women: 5 <sup>th</sup> this year, 4 <sup>th</sup> last year	Men: Ivy record since 2015 is 1-41 Women: Ivy record since 2015 is 0-42
Needs	Increase in squad size of 3 to 6	Squash facility More international financial aid Increases in squad size of 3 to 5
Challenge	Unless the rosters are increased, likely to remain in the 4-6 range in the Ivy League	Without a new facility and more international financial aid, we will remain in last place. Larger rosters alone are insufficient

BROWN2020\_ 00000519 Ex. 25, Pg. 11

#### Summary rating sheet: men's teams

Sport	Competitiveness	Facilities or locational advantage	Potential Community impact	Average rating		
Mens					]	
Lacrosse	5	5	5	5.0	]	
Crew	5	4	4	4.3	]	
Sailing (coed)	5	5	3	4.3	Ţ	
Soccer	3	5	5	4.3	]	
Basketball	4	3	5	4.0	Į	
Water polo	3	5	4	4.0	ļ	
Football	2	4	5	3.7	Į	
Swim-dive	2	5	3	3.3	Ţ	
Baseball	2	4	3	3.0	J	Note: Plans underway to renovate Meehan
lce Hockey	3	2	4	3.0	<b>←</b>	(hockey facility)
Wrestling	2	3	3	2.7	J	. , , , , ,
Fencing	2	1	1	1.3	]	
Golf	1	2	1	1.3	Ţ	
Tennis	2	1	1	1.3	]	Note: cannot host Ivy
Track& Field + CC	2	1	1	1.3	<b>←</b>	championships at
Squash	1	1	1	1.0		Brown but other good local options exist

BROWN2020\_ 00000520 Ex. 25, Pg. 12

#### Summary rating sheet: women's teams

	- Julian y 1		women s tean		-
Sport	Competitiveness	Facilities or locational advantage	Potential Community impact	Average rating	
Womens					{
Soccer	5	5	5	5.0	
Crew	5	4	4	4.3	ļ
Lacrosse	3	5	5	4.3	ļ
Sailing (coed)	5	5	3	4.3	J
Sailing (womens)	5	5	3	4.3	
Water polo	4	5	4	4.3	
Swim-dive	3	5	3	3.7	
Basketball	2	3	5	3.3	
Rugby	3	4	3	3.3	1
Volleyball	3	3	4	3.3	1
Field Hockey	2	4	3	3.0	1
Gymnastics	3	3	3	3.0	1
Softball	2	4	3	3.0	Note: Plans underway to renovate Meehan
Ice Hockey	1	2	4	2.3	(hockey facility)
Golf	2	2	1	1.7	(Hockey facility)
Tennis	2	1	1	1.3	1
Track& Field +CC	2	1	1	1.3	<b>k</b>
Equestrian	1	1	1	1.0	Note: cannot host Ivy
Fencing	1	1	1	1.0	championships at
Skiing	1	1	1	1.0	Brown but other good
Squash	1	1	1	1.0	local options exist

BROWN2020\_00000521 Ex. 25, Pg. 13

#### Roster sizes also matter...

Sport	Brown (5-yr av)	Ivy Average
Mens		
Baseball	28.0	32.0
Basketball	14.4	17.0
Crew	50.8	43.0
Fencing	12.4	17.0
Football	107.4	110.0
Lacrosse	38.0	43.0
Soccer	26.4	28.0
Squash	11.8	16.0
Swim-dive	27.2	33.0
Tennis	11.6	13.0
Track, Field & CC	100.0	138.0
Water polo	18.2	18.0
Wrestling	25.2	30.0
		/
SUBTOTAL MENS	471.4	538.0

If Brown squad sizes were the same as Ivy averages, we would need about  $^{\sim}58$  more opportunities for male athletes

BROWN2020\_00000522 Ex. 25, Pg. 14

#### Roster sizes also matter...

Sport	Brown (5-yr av)	Ivy Average
Basketball	13.8	16.0
Crew	53.8	50.0
Equestrian	32.6	29.0
Fencing	14.2	16.0
Field Hockey	22.2	22.0
Golf	8.8	9.0
Gymnastics	16.8	20.0
Ice Hockey	23.0	23.0
Lacrosse	30.4	30.0
Rugby	30.0	31.0
Skiing	8.0	15.0
Soccer	24.8	27.0
Softball	17.8	19.0
Squash	13.4	14.0
Swim-dive	31.0	34.0
Tennis	10.4	11.0
Track, Field & CC	129.0	145.0
Volleyball	17.5	18.0
Water polo	22.0	18.0
SUBTOTAL WOMENS	519.5	547.0

If Brown squad sizes were the same as Ivy averages, we would need about ~28 more opportunities for female athletes

BROWN2020\_00000523 Ex. 25, Pg. 15



# Final combination of varsity teams had to meet the following criteria

- Favor teams that have higher ratings (competitiveness, facilities, community impact)
- Give each varsity team the "optimal" squad size (calculated in a variety of ways)
- Gender equity: increase the fraction of varsity opportunities for women
- Consider impact on diversity

BROWN2020\_ 00000524 Ex. 25, Pg. 16

### Recommendation

#### Covert to club or cut

- Fencing (m/w)
- Golf (m/w)
- Skiing (w)
- Squash (m/w)
- Equestrian (w)
- Tennis (m/w)
- Track, Field & CC (m)

#### Add

• Sailing (coed, w)

		Alternative roster sizes					
		Brown	Winning teams	Coaches'	lvy		
	Current	(5-yr av)	(5-yr av)	ideal*	average*		
#sports	38	27	27	27	27		
# athletic opportunities, total	1025	794	907	845	875		
# athletic opportunities, men	506	362	428	397	394		
# athletic opportunities, women	520	432	479	446	481		
% women	50.7%	54.4%	52.8%	52.9%	55.0%		

Notes: Numbers may not add up to rounding error.

\*"Coaches' ideal" for track, field and cross country counts squad size differently than the other methods

#### **Equity and diversity**

- 1. Using the ideal squad sizes reported by coaches, the % athletic opportunities for women is very close to the fraction of women in the undergraduate student body, and about the fraction using Ivy average squad sizes.
- 2. Currently, 19.9% of student athletes are HUG, relative to 21% in the undergraduate population. Assuming that the diversity of each team stays the same over time, this plan would reduce %HUG to between 18.4% to 19.4%. We will continue to emphasize our goal of increasing diversity among student-athletes.

BROWN2020\_ 00000525 Ex. 25, Pg. 17



## Comments

- 1. The scenario envisions making women's track, field and cross country into a premier women's program at Brown
- 2. Changing tennis to a club sport could open up the 4<sup>th</sup> floor of the Pizzatola for a second basketball court (used by numerous men's and women's sports)
- 3. Elevates a club sport—sailing (women's and co-ed)—for which we have a natural locational advantage and a new facility
- 4. Bring resources into club sports that already exist (running, golf, tennis, and skiing) and paves the way for new club sports (squash, fencing, equestrian)

BROWN2020\_ 00000526 Ex. 25, Pg. 18

## Final list of recommended varsity teams

Men's	Women's
1. Baseball	1. Basketball
2. Basketball	2. Crew
3. Crew	3. Field Hockey
4. Football	4. Gymnastics
5. Ice Hockey	5. Ice Hockey
6. Lacrosse	6. Lacrosse
7. Soccer	7. Rugby
8. Swim-dive	8. Sailing (w)
9. Water polo	9. Soccer
10. Wrestling	10. Softball
Coed	11. Swim-dive
1. Sailing (coed)	12. Track
	13. Field
	14. Cross country
	15. Volleyball
	16. Water polo

BROWN2020\_ 00000527 Ex. 25, Pg. 19

# Will making this change automatically guarantee competitiveness?



- Rationalizing the allocation of sports between varsity and club is <u>necessary</u> but not sufficient to achieve excellence in athletics.
- It will pave the way to other actions that will drive success:
  - Establishing high bars for coaches, while supporting their professional development
  - Focusing on admissions and recruitment for outstanding, diverse student-athletes on appropriately-rostered teams
  - Develop a plan that advances remaining women's and men's varsity teams through improved facilities for practice, competition, and locker rooms
  - Developing tailored strength, conditioning and nutrition programs for varsity teams

BROWN2020\_ 00000528 Ex. 25, Pg. 20



## Why is this a good time to do this?

- From the point of view of current students, no time is a good time—but some times are better than others
- Announcing in late-May/early-June is early enough that incoming student-athletes on affected teams can transfer, and now new students (currently rising seniors) will be disadvantaged
- Athletics is likely to be seriously disrupted in the coming academic year due to COVID-19. Student-athletes who will be seniors are unlikely to be able to compete in the fall, maybe in the spring
- Students in affected teams will be able to transfer if they choose to do so, and will be supported by Brown in this process

BROWN2020\_ 00000529 Ex. 25, Pg. 21



## What's ahead

- Discuss with Corporation on May 21, possibly schedule a follow-up meeting
- Planning underway on
  - Communications
  - Student support
  - Donor relations/gift agreements/legal
- Strictly confidential!!!

BROWN2020\_ 00000530 Ex. 25, Pg. 22



## Discussion

BROWN2020\_ 00000531 Ex. 25, Pg. 23 Case 1:92-cv-00197-JJM-LDA Document 378-3 Filed 08/26/20 Page 59 of 132 PageID #: 609





Copyright 2020 Brown University

BROWN2020\_00000532 Ex. 25, Pg. 24

Czech English Translate message Turn off for: Czech You are reading a secure message, protected by Virtru No expiration date From: Marguerite Joutz < marguerite joutz@brown.edu > Date: Thu, May 21, 2020 at 9:58 PM Subject: Tomorrow's meeting To: Christina Paxson < christina paxson@brown.edu >, Kevin Mundt < >, Flores, Kathryn Quadracci < >, Paula McNamara < >, Eileen Goldgeier < eileen goldgeier@brown.edu > Cc: Cass Cliatt < cass cliatt@brown.edu >, Jack Hayes < jack hayes@brown.edu > You are reading a secure message, protected by Virtru No expiration date Dear Members of the Committee on Excellence in Athletics. I am writing to provide a brief overview of tomorrow's meeting on communications. Our primary focus will be to review the attached initial talking points document produced by Vice President for Communications Cass Cliatt. Tomorrow's meeting will also be an opportunity for you to ask questions or ask for specific content or materials to support your efforts next week. Please let me know if you have any questions or suggestions. Best, Marguerite Marguerite Joutz Chief of Staff and Assistant to the President **Brown University** 104 University Hall Box 1860 Providence, RI 02912 +1 (401) 863-9212 (office) +1 (401) 339-9612 (cell)

#### Secured by Virtru

#### 1 SECURED ATTACHMENT

Confidential - Sta....tdf 28.3 KB

Marguerite Joutz Chief of Staff and Assistant to the President **Brown University** 104 University Hall Box 1860 Providence, RI 02912 +1 (401) 863-9212 (office)

+1 (401) 339-9612 (cell)



# Excellence in Athletics Corporation Meeting

May 21, 2020

BROWN2020\_ 00000536 Ex. 26, Pg. 1



## Purpose of this meeting

■ Discuss the findings of the Committee on Athletics Excellence

This meeting is strictly confidential. <u>Please do not discuss with others outside of the Corporation</u>



## Background: competitive excellence

- Brown, a member of the Ivy League, currently has 38 Varsity sports (17 men's and 21 women's) as well as a number of highly competitive club sports
- Although there are some bright spots, Brown has not been competitive in the Ivy League, winning 2.8% of championships in the past 10 years.
- This is inconsistent with one of the core values of Ivy League:
  - "Each member school ought not to merely tolerate, but to value a balance of competitive success within the Group. Although schools may differ in those sports in which they excel, a reasonable competitive balance among institutions over time over all sports should be sought."
- More importantly, it is inconsistent with Brown's approach to targeted excellence in all that we do, in academic and other pursuits

BROWN2020\_ 00000538 Ex. 26, Pg. 3



## Background: Gender equity & Title IX

- Brown has a strong commitment to providing equal opportunity to women and men in varsity athletics
- A 1998 Consent Decree established that the fraction of varsity athletics opportunities for women can not be more than 3.5% below the fraction of undergraduate students who are women. If <u>any</u> women's varsity sport is eliminated, the variance goes from 3.5% to 2.25%
- Example: If 51% of undergraduate students are women, the fraction of women athletes who are female cannot currently drop below 47.5%. If a women's sport is cut, the threshold would be 48.75%
- Over time, the fraction of undergraduate students who are women has risen, creating pressure to under-roster men's teams relative to women's teams
- Maintaining gender equity in athletics is not just about compliance with the consent decree and Title IX: it is also the right thing to do

BROWN2020\_ 00000539 Ex. 26, Pg. 4



### Timeline of work on athletics

- August 2018: "Increasing the competitiveness of varsity athletics" is shared with the Corporation as one of my annual priorities.
- **November 2018**: Brown commissioned Collegiate Sports Associates (CSA) to conduct a review of varsity athletics at Brown.
- **February 2019**: The Campus Life Committee discusses the recommendations of the CSA report. Several recommendations were subsequently implemented.
- A current that ran through the report, which was confirmed more directly in my private conversations with the review team, was that we have too many varsity teams relative to resources (facilities, admissions support slots, international financial aid, operating budgets)
- **December 2019**: Established a Committee on Excellence in Excellence, chaired by trustee emeritus Kevin Mundt, who also chairs the Athletics Advisory Council

BROWN2020\_ 00000540 Ex. 26, Pg. 5



## Committee membership

- Kevin Mundt '76, chair
- Richard Caputo, Jr. '88
- Kathryn Quadracci Flores '90
- Eileen Goldgeier '85 (and ex officio as GC)
- Earl Hunt '03
- Jonathan M. Nelson '77
- Paula McNamara'84



## Committee charge

The charge of this committee is to develop a proposal with recommendations to determine the **numbers and identities of varsity and highly competitive club sports** at Brown which accommodate the students' athletic interests and abilities.

The goals of this endeavor is to enhance the quality of the student experience in athletics, provide for gender equity, ensuring diversity and inclusion, sustaining reasonable support for the pursuit of excellence, increasing competitiveness in varsity athletics, and building a stronger university community with a focus on collegiate loyalty.

BROWN2020\_ 00000542 Ex. 26, Pg. 7



## The committee was asked to consider:

- 1. Are there available **competitive opportunities** within the Ivy League and/or peer institutions to maintain a competitive varsity schedule or club schedule?
- 2. Does Brown have quality facilities or use of quality facilities in Rhode Island for the sport which can be used to host athletic contests, competitions and tournaments?
- 3. What are the average **roster sizes** of the sports within the Ivy League and the NCAA and how do those averages measure up to Brown's five-year roster averages?
- 4. How might Brown utilize its **recruiting admissions slots** more effectively to re-focus its efforts on perhaps a smaller and different menu of varsity sports?
- 5. Determine the **opportunities for male and female student-athletes** so that there is substantial proportionality with the undergraduate population as required by Title IX and Brown's consent decree.
- 6. Does the varsity sport or a highly competitive club sport have the **potential to build and strengthen** community?
- 7. How **competitive** within the Ivy League has each team been over the past 10 years, and for non-Ivy sports, how competitive has the team been within the appropriate sport association?

BROWN2020\_ 00000543 Ex. 26, Pg. 8



### Resources

- The committee was assured that changing the number and composition of varsity and club sports would NOT be accompanied by:
  - A reduction in the number of admissions recruiting slots
  - A decline in the operating budget for athletics
- The number of recruiting slots to remain at 230 (up from 205 in 2012)
- Operating budgets to be strategically reallocated to varsity and club sports
- To the extent that varsity sports to be converted to club status have endowments, the endowment would follow the sport (subject to donor preferences)

BROWN2020\_ 00000544 Ex. 26, Pg. 9



## What the committee did

- 1. Reviewed the competitive record for each sport
- 2. Reviewed the quality of facilities for practice and competitions
- 3. Discussed other factors, like need for international financial aid
- 4. Assessed each varsity sport plus two of the highly-competitive club sports (co-ed and women's sailing) for:
  - Competitiveness
  - Facilities for practice and competitions; locational advantages
  - Potential "community impact"—school spirit, alumni engagement



## Example of analysis with two sports

	Swimming	Squash
		*
Facilities	Pool is best in Ivy League	Squash courts are worst in Ivy League
International financial aid	Not a priority in swimming	60% of the First-Team All-Ivy honorees in last 4 years were international students
Recent finishes	Men: 4 <sup>th</sup> this year Women: 5 <sup>th</sup> this year, 4 <sup>th</sup> last year	Men: Ivy record since 2015 is 1-41 Women: Ivy record since 2015 is 0-42
Needs	• Increase in squad size of 3 to 6	<ul><li>Squash facility</li><li>More international financial aid</li><li>Increases in squad size of 3 to 5</li></ul>
Challenge	Unless the rosters are increased, likely to remain in the 4-6 range in the Ivy League	Without a new facility and more international financial aid, we will remain in last place. Larger rosters alone are insufficient

BROWN2020\_ 00000546 Ex. 26, Pg. 11

#### Summary rating sheet: men's teams

		Facilities or	Potential		]
		locational	Community	Average	
Sport	Competitiveness	advantage	impact	rating	
Lacrosse	5	5	5	5.0	
Crew	5	4	4	4.3	
Sailing (coed)	5	5	3	4.3	
Soccer	3	5	5	4.3	
Basketball	4	3	5	4.0	
Water polo	3	5	4	4.0	
Football	2	4	5	3.7	
Swim-dive	2	5	3	3.3	Plans underway to
Baseball	2	4	3	3.0	renovate Meehan (hockey facility)
Ice Hockey	3	2	4	3.0	(noticy runney)
Wrestling	2	3	3	2.7	Can't host championships,
Tennis	2	1	2	1.7	but other opportunities exist
Track& Field + CC	2	2	1	1.7	
Fencing	2	1	1	1.3	Cannot host Ivy
Golf	1	2	1	1.3	championships at Brown but
Squash	1	1	1	1.0	could at Bryant.

BROWN2020\_00000547 Ex. 26, Pg. 12

#### Summary rating sheet: women's teams

Sport	Competitiveness	Facilities or locational advantage	Potential Community impact	Average rating		
Soccer	5	5	5	5.0		
Crew	5	4	4	4.3		
Lacrosse	3	5	5	4.3		
Sailing (coed)	5	5	3	4.3		
Sailing (womens)	5	5	3	4.3		
Water polo	4	5	4	4.3		
Swim-dive	3	5	3	3.7		
Basketball	2	3	5	3.3	]	
Rugby	3	4	3	3.3		
Volleyball	3	3	4	3.3		
Field Hockey	2	4	3	3.0		Plans underway to
Gymnastics	3	3	3	3.0		renovate Meehan
Softball	2	4	3	3.0		(hockey facility)
Ice Hockey	1	2	4	2.3		
Golf	2	2	1	1.7	] ]	Can't host championships,
Tennis	2	1	2	1.7	4	but other opportunities exist
Track& Field +CC	2	2	1	1.7	/ I	
Equestrian	1	1	1	1.0		Cannot host Ivy
Fencing	1	1	1	1.0		championships at Brown but
Skiing	1	1	1	1.0		could at Bryant.
Squash	1	1	1	1.0	] '	

BROWN2020\_00000548 Ex. 26, Pg. 13

#### Roster sizes also matter...

Men's Sports	Brown (5-yr av)	Ivv Average
Baseball	28.2	32.0
Basketball	14.8	17.0
Crew	49.6	43.0
Fencing	11.2	17.0
Football	104.0	110.0
Golf	8.0	9.0
Ice Hockey	27.2	28.0
Lacrosse	39.4	43.0
Soccer	26.6	28.0
Squash	12.3	16.0
Swim-dive	27.8	33.0
Tennis	11.4	13.0
Track, Field & CC	120.0	138.0
Water polo	18.8	18.0
Wrestling	25.0	30.0
SUBTOTAL MENS	471.4	538.0

If Brown squad sizes were the same as Ivy averages, we would need about  $^{\sim}67$  more opportunities for male athletes

BROWN2020\_ 00000549 Ex. 26, Pg. 14

#### Roster sizes also matter...

Women's Sports	Brown (5-yr av)	Ivy Average
Basketball	15.0	16.0
Crew	52.2	50.0
Equestrian	28.8	29.0
Fencing	13.0	16.0
Field Hockey	22.8	22.0
Golf	9.6	9.0
Gymnastics	16.4	20.0
Ice Hockey	23.2	23.0
Lacrosse	30.6	30.0
Rugby	30.0	31.0
Skiing	7.4	15.0
Soccer	24.4	27.0
Softball	18.0	19.0
Squash	13.0	14.0
Swim-dive	31.6	34.0
Tennis	10.4	11.0
Track, Field & CC	152.0	145.0
Volleyball	16.8	18.0
Water polo	22.4	18.0
SUBTOTAL WOMENS	537.6	547.0

If Brown squad sizes were the same as Ivy averages, we would need about ~9 more opportunities for female athletes

BROWN2020\_00000550 Ex. 26, Pg. 15



# Final combination of varsity teams had to meet the following criteria

- Favor teams that have higher ratings (competitiveness, facilities, community impact)
- Give each varsity team the "optimal" squad size
- Gender equity: increase the fraction of varsity opportunities for women
- Consider impact on diversity

BROWN2020\_ 00000551 Ex. 26, Pg. 16

### Recommendation

#### Covert to club

- Fencing (m/w)
- Golf (m/w)
- Skiing (w)
- Squash (m/w)
- Equestrian (w)
- Track, Field & CC (m)

#### **Convert to varsity**

• Sailing (coed, w)

		Alternative roster sizes			
		Brown	lvy	Coachs'	Brown
	Current	(5-yr av)*	average*	ideal	plan
#sports	38	29	29	29	29
# athletic opportunities, total	1062	839	859	863	863
# athletic opportunities, men	524	373	395	407	407
# athletic opportunities, women	538	466	464	456	456
% women	50.6%	55.5%	54.0%	52.8%	52.8%

Notes: Numbers may not add up to rounding error.

#### **Equity and diversity**

- % athletic opportunities for women under the Brown plan exceed % women in undergraduate student body (52.8% versus 52.3%)
- Holding the current composition of teams fixed, fraction of student-athletes who are HUG declines slightly and fraction of athletes who are in the "highest" or "high" financial need category rises slightly
- We are committed to increasing diversity within athletics (%HUG among varsity athletes is currently slightly below overall student body)

BROWN2020\_ 00000552 Ex. 26, Pg. 17

<sup>\*</sup>Counts opportunities differently than Coach's ideal and Brown plan



## Comments

- 1. The scenario envisions making women's track, field and cross country into a premier women's program at Brown
- 2. Elevates a club sport—sailing (women's and co-ed)—for which we have a natural locational advantage and a new facility
- 3. Bring resources into club sports that already exist (running, golf, skiing, squash) and paves the way for new club sports (fencing, equestrian)
- 4. Operating budgets that are freed up would be used to strengthen remaining varsity sports and to increase club sport staffing

BROWN2020\_ 00000553 Ex. 26, Pg. 18

## Final list of recommended varsity teams

Men's	Women's
1. Baseball	1. Basketball
2. Basketball	2. Crew
3. Crew	3. Field Hockey
4. Football	4. Gymnastics
5. Ice Hockey	5. Ice Hockey
6. Lacrosse	6. Lacrosse
7. Soccer	7. Rugby
8. Swimming and diving	8. Sailing (w)
9. Tennis	9. Soccer
10. Water polo	10. Softball
11. Wrestling	11. Swimming and diving
Coed	12. Tennis
1. Sailing (coed)	13-15. Track, Field and Cross Country
	16. Volleyball
	17. Water polo

BROWN2020\_ 00000554 Ex. 26, Pg. 19

# Will making this change automatically guarantee competitiveness?



- Rationalizing the allocation of sports between varsity and club is <u>necessary</u> but not sufficient to achieve excellence in athletics.
- It will pave the way to other actions that will drive success:
  - Establishing high bars for coaches, while supporting their professional development
  - Focusing on admissions and recruitment for outstanding, diverse student-athletes on appropriately-rostered teams
  - Develop a plan that advances remaining women's and men's varsity teams through improved facilities for practice and competition and better locker rooms/community space (e.g. moving tennis out of Pizzatola would benefit 7 sports)
  - Developing tailored strength, conditioning and nutrition programs for varsity teams

BROWN2020\_ 00000555 Ex. 26, Pg. 20



## Why is this a good time to do this?

- From the point of view of current students, no time is a good time—but some times are better than others
- Announcing in late-May/early-June is early enough that incoming student-athletes on affected teams can transfer, and now new students (currently rising seniors) will be disadvantaged
- Athletics is likely to be seriously disrupted in the coming academic year due to COVID-19. Student-athletes who will be seniors are unlikely to be able to compete in the fall, maybe in the spring
- Students in affected teams will be able to transfer if they choose to do so, and will be supported by Brown in this process

BROWN2020\_ 00000556 Ex. 26, Pg. 21



### What's ahead

- If we move ahead, the sooner we can announce this the better:
  - Current students will have opportunities to transfer, if they want
  - Recruiting of rising seniors is ramping up right now
- An announcement would stress:
  - Excellence in athletics
  - No decline in the number of recruited athletes or in the operating budget
  - Gender equity
  - Support for students
- Strictly confidential!!!

BROWN2020\_ 00000557 Ex. 26, Pg. 22



## Discussion

BROWN2020\_ 00000558 Ex. 26, Pg. 23



# AGENDA Committee on Excellence in Athletics Meeting Wednesday June 3, 2020 12:00 pm to 1:00 pm Zoom Video Conference

- I. Debrief announcement
- II. Updates on communications
- III. Next steps

From: Marguerite Joutz <marguerite joutz@brown.edu> Date: Mon, Jun 8, 2020 at 9:03 PM Subject: Excellence in Athletics - next steps >, Hunt, Earl < >, Nelson, Jonathan < To: Kevin Mundt < >, Rich Caputo >, Paula McNamara >, Flores, Kathryn Quadracci Christina Paxson <christina paxson@brown.edu> Cc: Jack Hayes <jack hayes@brown.edu>, Eileen Goldgeier <eileen goldgeier@brown.edu>, Cass Cliatt <cass cliatt@brown.edu>

Dear Members of the Committee on Excellence in Athletics,

I am writing to share the plan for the next couple of days. As you know, we plan to share an update with our community tomorrow evening or first thing on Wednesday morning. I also wanted to highlight that we will be holding the first of three webinars for the Brown Athletics community on Friday. We don't expect these to be entirely positive sessions, but think it's important to offer a venue for students, alumni, and families to be heard. Please let me know if you have any questions.

Thank you for your continued support and engagement throughout this process.

Marguerite

#### Tuesday, June 9, 2020

5:00 - 6:00 p.m. Corporation Update Meeting

7:00 - 8:00 p.m.

Meeting with the Track & Field Team and Coaches (President Paxson, Director Hayes, and Kevin Mundt will attend)

8:00 p.m. (To be confirmed. May be sent Wednesday morning.) Communication from President Paxson to the Brown Community

#### Wednesday, June 10, 2020

9:30 - 10:30 a.m.

Meeting of the Committee on Excellence in Athletics to debrief and discuss next steps post-announcement

Invitation to Open Forums from President Paxson and Athletics Director Hayes to Brown Athletics community

#### Friday, June 12, 2020

2:00 - 3:00 p.m.

Open Forum for the Brown Athletics Community with President Paxson and Athletics Director Hayes

Marguerite Joutz Chief of Staff and Assistant to the President **Brown University** 

104 University Hall Box 1860 Providence, RI 02912 +1 (401) 863-9212 (office) +1 (401) 339-9612 (cell)

Marguerite Joutz Chief of Staff and Assistant to the President **Brown University** 104 University Hall Box 1860 Providence, RI 02912 +1 (401) 863-9212 (office) +1 (401) 339-9612 (cell)

To:

- --All campus,
- --All alumni,
- --All parents/families of current and incoming student-athletes

Display name: President Christina H. Paxson

From: president@brown.edu

Date: 9 a.m. Saturday, June 6, 2020

#### **Subject: Addressing Brown varsity sports decisions**

Dear Brown Community,

Since the <u>announcement</u> 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 to 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? 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

Slovak English Translate message Turn off for: Slovak You are reading a secure message, protected by Virtru No expiration date From: Marguerite Joutz <marguerite joutz@brown.edu> Date: Wed, May 27, 2020 at 9:35 AM Subject: Confidential materials for tomorrow To: Kevin Mundt < Flores, Kathryn Quadracci < >, Paula McNamara <

You are reading a secure message, protected by Virtru No expiration date

<jack hayes@brown.edu>, Cass Cliatt <cass cliatt@brown.edu>

Dear Members of the Committee on Excellence in Athletics,

I am writing to share five confidential documents in advance of tomorrow's announcement. I will also be following up with each of you directly in response to requests for contact information and additional outreach assignments.

Cc: Christina Paxson <a href="mailto:christina">christina</a> paxson@brown.edu>, Eileen Goldgeier <a href="mailto:eileen goldgeier@brown.edu">eileen goldgeier@brown.edu</a>, Jack Hayes

- . The final version of the letter to the Brown Community from President Paxson
- . An FAQ we plan to make public on the website for the initiative
- · An "Unable to reach you" email template for callers
- · An abbreviated communications roll-out schedule
- · The revised phone script and talking points

Later this morning, I will also be sharing a "supplemental FAQ" to answer some stickier questions that you might receive. Please do not share or distribute any of these documents. And it is paramount that nothing be conveyed in writing until after Brown's announcement has been distributed (not before 1:45 p.m., allowing a buffer).

Please feel free to write to me directly if you have any questions. My cell is 401-339-9612. Thank you again for your continued partnership in making this important announcement.

Best, Marguerite

Marguerite Joutz Chief of Staff and Assistant to the President **Brown University** 104 University Hall Box 1860 Providence, RI 02912 +1 (401) 863-9212 (office)

Secured by Virtru

+1 (401) 339-9612 (cell)

#### **5 SECURED ATTACHMENTS**

Confidential - CP... .tdf

29.0 KB

Confidential - Pu... .tdf

36.2 KB

For Callers- Unab....tdf

13.5 KB

Abbreviated Com....tdf

22.3 KB

Confidential - Sta ... .tdf

28.5 KB

+1 (401) 339-9612 (cell)

Marguerite Joutz Chief of Staff and Assistant to the President **Brown University** 104 University Hall Box 1860 Providence, RI 02912 +1 (401) 863-9212 (office)

#### NOT FOR SHARING OR DISTRIBUTION—Announcement date is May 28, 2020

To: Campus, Alumni and Parents From: President Christina H. Paxson

Subject: Excellence initiative to reshape Brown athletics

Date: May 28, 2020

Dear Brown Community,

I am writing to announce some important changes to Brown's varsity and club sports programs, which are the result of a careful planning process that began more than a year ago.

For years, Brown's vision for varsity athletics has been to advance the ideal of scholar-athletes who embrace excellence in academics and in their sports, while competing on teams that are among the most competitive among university peers. Club sports, which provide competitive athletics opportunities open to wider participation among students, play an equally important role by advancing students' health, well-being and sense of community. Both varsity and club sports hold the promise of providing exceptional leadership opportunities for our students and contributing significantly to building community on campus.

The large number of varsity teams at Brown (currently the third highest in the country) has hindered our ability to fully achieve these aspirations. The Excellence in Brown Athletics Initiative, which I am announcing today, has the goals of improving the competitiveness of our varsity athletics, enhancing the strength of our club sports, and upholding our commitment to provide equal opportunities in athletics for women and men at Brown.

#### We'll do this through four core actions:

- 1. Revise the roster of varsity sports through a net reduction in teams from 38 to 29, while enhancing existing club teams and (provided there is sufficient student interest) adding several new club teams. This change will be effective immediately for the 2020-21 academic year.
- 2. Continue to focus on admission and recruitment of outstanding student-athletes, as well as maintaining roster sizes that build competitiveness.
- 3. Enhance our focus on coaching, training and conditioning, including professional development for athletics staff.
- 4. Advance facilities improvements that will make a difference in recruiting talented coaches and student-athletes and improve competitiveness in varsity athletics.

Brown will continue to recruit the same number of varsity athletes, and squad sizes on varsity teams will be adjusted to optimal levels. Brown will also maintain its current operational budget for athletics. Operating funds made available with the reduction in varsity teams will be allocated strategically within the Department of Athletics. The smaller

number of varsity teams also will support stronger recruiting in the admissions process, allowing for deeper talent on each team.

Through generations of generous donors, many of our sports have funds that support their programs. Philanthropic dollars designated to specific sports will remain with those sports, regardless of their varsity or club status, whenever possible. Brown is grateful to the alumni, parents and friends of the University who have a long history supporting excellence in athletics at Brown.

#### **Revised roster of sports teams**

The University will transition 11 varsity teams to club status and transition two club teams to varsity status, resulting in the net reduction in the number of varsity teams from 38 to 29.

Effective immediately, Brown will cease training, competition and related operations at the varsity level for the following sports: men and women's fencing; men and women's golf; women's skiing; men and women's squash; women's equestrian; and men's track, field and cross country (which are three varsity sports under federal Title IX rules governing access to opportunities in sports). In addition, club coed sailing and club women's sailing each will transition to varsity status.

A number of the sports being transitioned out of varsity status already have club counterparts. This list includes golf, running, skiing and squash. Assuming there is student interest, equestrian and fencing would become new club sports.

#### The decision-making process

An ongoing commitment to self-assessment is part of Brown's drive for excellence. The origins of the Excellence in Brown Athletics Initiative date back to an external review of Brown Athletics conducted in the 2018-19 academic year. Consultants found that the high number of varsity sports at Brown was a barrier to competitiveness. In the decade ending in 2018, Brown earned 2.8% of Ivy titles, the lowest in the Ivy League. This outcome is inconsistent with the Ivy League principle of competitive balance across schools, and with Brown's commitment to excellence in all we do.

In January of this year, I appointed a Committee on Excellence in Athletics and charged its members to make recommendations to enhance the quality of the student experience in athletics. This committee of alumni has deep ties to Brown athletics. Its members were selected for their capacity to make very difficult recommendations in a fair and objective manner.

The revised roster of teams was determined through a thorough, data-driven review. The Committee on Excellence in Athletics assessed such factors as the existing strengths of each team; current roster sizes; and the quality of facilities available for practice and competition. To provide a few illustrative examples, the committee considered, for

instance, that Rhode Island does not have mountains to support a strong program in skiing, and not enough courts to host championship squash competitions, while we have one of the best sailing bays in the country and a new sailing facility. These were among the many factors of the analysis performed for each sport.

When making its recommendations, the committee was guided by the following principles:

- enhancing the quality of the student experience in athletics;
- increasing competitiveness in varsity athletics;
- providing for gender equity;
- ensuring diversity and inclusion;
- sustaining reasonable support for the pursuit of excellence; and
- building a stronger University community with a focus on affinity, pride and collegiate loyalty.

The recommendations of the Committee on Excellence in Athletics were discussed with the Corporation Committee on Campus Life, and then approved by the Brown University Corporation at a recent meeting.

#### Promoting gender equity and diversity

This initiative aligns with Brown's strong commitment to providing equal opportunity to women and men in varsity athletics. Title IX of the federal Education Amendments of 1972 sets forth standards for ensuring gender equity in athletics for all colleges and universities that receive federal aid, and the Excellence in Brown Athletics Initiative promotes gender equity under Title IX.

In addition, the team composition of Brown's athletics program remains in compliance with a 1998 Settlement Agreement that established the percentage of varsity athletics opportunities for women in relation to the percentage of Brown undergraduate students who are women. With the changes being made to the roster of varsity teams, the percentage of varsity athletics participation opportunities for women will increase, and be even more closely aligned with the percentage of women in the undergraduate student body.

Brown teams already attract a diverse group of participants. Consistent with *Pathways to Diversity and Inclusion: An Action Plan for Brown University* (the campus-wide DIAP), we hope to further increase the diversity of students playing both varsity and club sports at Brown. The expansion of club sports will allow a broader range of non-recruited athletes to participate in a wider array of teams. This initiative will put more resources into our club sports and build a stronger club sports program.

#### Supporting students during the transition

Although these changes will serve Brown athletics and its student body well for years to come, I appreciate that many current and newly admitted students whose teams are being converted from varsity to club status will be deeply disappointed. Supporting these students over the coming weeks will be our top priority. A major focus of our work this summer will be to provide assistance in counseling students about their options for remaining at Brown or, if they choose, transferring to another institution.

Announcing these changes now provides our current and newly recruited athletes the most flexibility to consider their options. The fact that COVID-19 has raised uncertainty nationwide about collegiate competition next year means that effecting the change in varsity status now for the identified teams may provide our athletes with extra time to make decisions.

Our incoming and current student-athletes are being invited to live Zoom sessions with Athletics staff, colleagues in the College and other support staff to have their questions answered and learn more about their options. Brown is also committed to supporting our coaches in this transition.

#### Website provides further details and FAQs

I encourage you to read more about this initiative on its <u>new website</u>, which includes the revised full list of varsity and club sports at Brown and more information on student support during this transition. It also includes a brief history of the recurring self-examination over the years of the competitiveness of Bears athletics, as it's important to stress that the value of competitive sport is at the core of this initiative.

While many of us have seen recent announcements about reductions in athletics programs at other universities in the wake of novel coronavirus, this initiative at Brown is not a measure to reduce budget or an effort to contend with the financial impact of the COVID-19 pandemic. Rather, it's an opportunity to invest even further in advancing excellence in our full lineup of sports programs.

With the Excellence in Brown Athletics Initiative, we have the opportunity to truly reshape Bears athletics. I am a sports fan, and those of you who attend Brown games likely have seen me cheering our teams on the sidelines, at courtside or in the stands. I know it will be difficult for many in our community to see some of their favorite teams transition to club status, and we will continue to honor the history of these teams and the alumni who participated on them in the past. But I also expect there will be true excitement for the heightened opportunities for competitive play that all the elements of this initiative will bring to our student-athletes.

We are on a positive path toward building a varsity athletics program for women and men that could be among the most competitive among Brown's peers in the next 10 years. I want to thank the Committee on Excellence in Athletics, Director of Athletics and Recreation Jack Hayes and the many colleagues who continue to do so much to support our athletics community.

Sincerely,

Christina H. Paxson President

## **Excellence in Brown Athletics Initiative Frequently Asked Questions**

#### **Goals and Resources**

#### What is the Excellence in Brown Athletics Initiative?

Grounded in Brown's values and based on nearly a century and a half of history and tradition, the Excellence in Brown Athletics Initiative is a bold plan to reshape athletics for all of the University's student-athletes.

The goal is to reshape Brown Athletics in a way that positions student-athletes to fully achieve excellence both in academics and in their sports. Students who compete at the varsity level want to experience competitive play with success, and competitive varsity teams contribute to building cohesive university communities. They build affinity and pride.

The initiative charts a positive path toward building a varsity athletics program for women and men that could be among the most competitive among Brown's peers in the next 10 years. The initiative has the following three objectives:

- Improve the competitiveness of the University's varsity athletics teams.
- Enhance the strength of club sports.
- Uphold Brown's commitment to providing equal opportunities in athletics for women and men.

#### How will the University achieve the initiative's objectives?

A series of core action steps and new investments will enhance Brown's ability to compete at the highest levels and complement the University's exceptional track record in ensuring that student-athletes achieve academic excellence in classrooms and laboratories across campus. Through the initiative, Brown will:

- 1. Revise the <u>roster of varsity sports</u> through a net reduction in teams from 38 to 29 (transitioning 11 varsity teams to club sports and two club sports to varsity), while enhancing existing club team offerings.
- 2. Continue to focus on admission and recruitment of outstanding student-athletes, as well maintaining roster sizes that build competitiveness.
- 3. Enhance the University's focus on coaching, training and conditioning, including professional development for athletics staff.
- 4. Advance facilities improvements that will make a difference in recruiting talented coaches and student-athletes, and improve competitiveness in varsity athletics.

#### Which teams will experience a change in their varsity or club status?

Effective immediately for the 2020-21 academic year, Brown has ceased training, competition and related operations at the varsity level for the following sports: men's and women's fencing; men's and women's golf; women's skiing; men's and women's squash; women's equestrian; and men's track, field and cross country (which are three varsity sports under federal Title IX rules governing access to

opportunities in sports). In addition, club coed sailing and club women's sailing each will transition to varsity status.

A number of the sports being transitioned out of varsity status already have club counterparts. This list includes golf, running, skiing and squash. Assuming there is student interest, equestrian and fencing would become new club sports.

#### Will the budget for athletics at Brown be affected?

Brown will maintain its current operational budget for varsity athletics. Operating funds made available with the reduction in varsity teams will be allocated strategically within the Department of Athletics.

While universities in some areas of the country have announced reductions in athletics programs as budget relief (in the wake of the 2019 novel coronavirus), this initiative at Brown is not a measure to reduce budget or an effort to contend with the financial impact of the COVID-19 pandemic. It's a strategic opportunity to invest even further in advancing excellence in Brown's full lineup of sports programs.

#### What impact will this initiative have on gifts that have supported Brown athletics?

Through generations of generous donors, many of Brown's sports have funds that support their programs. Funds established by alumni and parents have given Brown Athletics the ability to nimbly and strategically respond to emerging needs, such as new equipment purchases and team travel costs, as well as to strengthen nationwide recruiting efforts.

Through the Excellence in Brown Athletics Initiative, philanthropic dollars designated to specific sports will remain with those sports, regardless of their varsity or club status, whenever possible.

#### **Competitiveness and Community**

#### How will this initiative make Brown's varsity teams more competitive?

At the start of the 2019-20 academic year, Brown had 38 varsity teams. Almost 900 students competed across these teams, including non-recruited athletes invited to "walk on" to complete team rosters. Consultants who conducted an external review of Brown Athletics in 2018-19 found that the large number of varsity teams — the third highest in the nation — has hindered Brown's ability to achieve its competitive aspirations.

Each of the initiative's core action steps are designed to address those barriers. Brown will continue to recruit the same number of varsity athletes, and squad sizes on varsity teams will be adjusted. The smaller number of varsity teams also will support stronger recruiting in the admissions process, allowing for deeper talent on each team. Brown will also maintain its current operational budget for varsity athletics. Operating funds made available with the reduction in varsity teams will be allocated strategically within the Department of Athletics.

#### Does this mean that Brown's varsity teams have not been competitive to date?

There have been exceptionally competitive teams at Brown over the past 10 years.

Since 2010, Brown teams have made 17 NCAA Tournament appearances and captured one National Championship in the sport of women's crew (2011). And true to Brown's values as a leading higher

education institution, Brown athletic teams have consistently ranked among the highest in the nation with respect to NCAA Academic Progress Rates (APR), an annual scorecard of academic achievement calculated for all Division I sports teams. Individually, Brown student-athletes have excelled in the classroom, earning CoSIDA Academic All-American recognition.

Even so, in the decade from 2009 to 2018, Brown earned only 2.8% of Ivy League titles, the lowest in the league, despite the league's focus on competitive balance across its eight participating schools.

## What does Brown see as the role of competitiveness in athletics as a leading institution of higher education?

At Brown, athletics is integrated as part of the educational experience as a program that advances intellectual and personal growth of students in a climate of high achievement and individual responsibility.

For years, Brown's vision for varsity athletics has been to advance the ideal of the scholar-athlete — the bright and passionate student who embraces excellence both in academics and also in their sport. The vision is for athletes who, as Brown students, are among the most academically talented in the world, who also compete on teams that are among the most competitive among university peers.

The Excellence in Brown Athletics Initiative reshapes Brown Athletics in a way that positions student-athletes to fully achieve excellence both in academics and in their sports.

#### How do the Ivy League principles factor into Brown's approach to athletics?

Brown's Ivy League title record from 2009 to 2018 is inconsistent with the Ivy League principle of competitive balance across schools, and with Brown's commitment to excellence. In the decade from 2009 to 2018, Brown earned only 2.8% of Ivy League titles, the lowest in the league, despite the league's focus on competitive balance.

Brown believes that its varsity athletes will have a stronger experience with a roster of varsity teams that uphold some of the founding principles of Ivy League athletics:

- academics and the personal growth of the students;
- equal opportunity in athletics for men and women;
- desirable development and recreation for student-athletes; and
- competitive balance across institutions and sports over time.

#### How will the initiative benefit the broader Brown community of students, faculty and staff?

Competitive athletics benefit the individual players and their communities. For both varsity and club sports, Brown recognizes the power of competitive athletics to bring together students, faculty, staff, families and alumni to build pride, affinity and a strong sense of community. Members of the community on campus and around the world share a common source of inspiration, hope and celebration when supporting Brown student-athletes as they progress through their seasons with a drive toward championship competition.

The vision is for athletes who, as Brown students, are among the most academically talented in the world, who also compete on teams that are among the most competitive among university peers. And club sports, which provide competitive opportunities open to wider participation, play an equally important role by advancing students' health and well-being.

#### **Enhancing Club Sports**

#### What does it mean to enhance the strength of club sports at Brown?

Club sports have not always had as many resources as would benefit their participants. As part of this initiative, Brown is committed to investing more resources into its club sports and build a stronger club sports program. Operating funds made available with the reduction in varsity teams will be allocated strategically within the Department of Athletics.

#### What is a club sport, and how does it differ from a varsity sport?

A club sport at Brown is a student organization derived by and sustained through the interest and leadership of students, working in accordance with policies established by the Department of Athletics. Though competition is not mandatory at Brown, many teams are highly competitive. Each year, Brown has participated in regional and national tournaments, with some taking home National Championships and Top Five finishes.

Club sports at Brown aim to seamlessly integrate education and athletics. The philosophy is to promote and advance healthy lifestyle choices through participation opportunities, educational experiences and supportive services.

#### How long has Brown offered club sports?

Club sports have been in existence at Brown since the early 19th century. As part of the long <u>history</u> of athletics at the University, Brown has maintained a robust club sports program that meets the needs of many student-athletes. Club sports continue to have a long-standing tradition of encouraging student development and providing leadership opportunities.

#### How will the initiative affect the lineup of club sports offerings at Brown?

A number of the sports being transitioned out of varsity status already have club counterparts. Assuming there is student interest, equestrian and fencing would become new club sports.

- men's and women's fencing currently no established club
- equestrian currently no established club
- men's and women's golf (merge with golf club)
- men's cross country / track and field (merge with running club)
- men's and women's squash (merge with squash club)
- women's skiing (merge with men's ski club)

A list of all club sports is available on the Revised Varsity and Club Rosters page.

#### Why are the sailing teams transitioning from club to varsity sports?

Brown's sailing program is one of the oldest and most successful collegiate sailing programs in the country. The current team is consistently ranked within the Top 10 in the country, racing in the highly competitive New England District of College Sailing. In 2019, the Bears won the College Sailing Women's National Championship, was ranked No. 1 nationally and finished fifth at the Coed Dinghy National Championship.

Since coming to Brown in 1999, head coach John Mollicone has coached 74 All-Americans, 85 Academic All-Americans, 109 All-New England Sailors and has led the Bears to 67 National Championship appearances. During this time, the team has finished Top Five at 30 National Championships and has won 16 New England Championships and eight Atlantic Coast Championships and Fall Showcases. The Sailing program operates out of the newly built Ted Turner '60 Sailing Pavilion, which is part of the Edgewood Yacht Club.

#### **Student Support**

#### Does this initiative affect recruitment of student-athletes?

Brown will continue to focus on admission and recruitment of outstanding student-athletes, as well maintaining roster sizes that build competitiveness. The University will continue to recruit the same number of varsity athletes, and squad sizes on varsity teams will be adjusted. The smaller number of varsity teams also will support stronger recruiting in the admissions process, allowing for deeper talent on each team.

#### Why was this decision made to launch this initiative now, especially given the COVID-19 pandemic?

The timing of the launch of the Excellence in Brown Athletics Initiative, including the revised rosters of varsity and club sports, allows current student-athletes the most flexibility to consider their options. The fact that COVID-19 has raised uncertainty nationwide about collegiate competition next year means that effecting the change in varsity status now for the identified teams may provide Brown's student-athletes with extra time to make decisions.

## What support will Brown provide to current and incoming student-athletes on the teams that will transition to club sports?

Support for student-athletes is the top priority in this transition. Brown will provide assistance in counseling students about their options for remaining at Brown or, if they choose, transferring to another school. Brown's incoming and current student-athletes have been invited to live Zoom sessions with athletics staff, representatives of the College and other support staff to have their questions answered and learn more about their options.

## What access to training facilities and services are available to athletes whose varsity teams will transition to club status?

While club sports programs do not have access to athletic training facilities, sports medicine services or strength and conditioning facilities, Brown club teams will be eligible to use athletic facilities for organized practices and competitions during designated time slots. Reservations will be approved by the intramural and club sport manager.

Any student-athlete who continues to rehabilitate from a previous injury as a result of intercollegiate athletics participation at Brown will continue to have access to sports medicine services in the Department of Athletics. Academic support services will be available to all returning student-athletes and incoming recruited students. Coaches and athletics staff will provide support during the summer of 2020 and assist the current and newly admitted students impacted by this decision.

Will student-athletes from the sports that have been transitioned to club sports be eligible for the Brown Athletics Hall of Fame?

Students and alumni who competed in sports that were varsity through the 2019-20 year will remain eligible for Hall of Fame distinction, honoring the varsity history of the sport at Brown.

#### **Equity and Access**

#### How does the initiative help to ensure equity in Brown's athletics programs?

Across all of Brown's educational activities, the University is dedicated to ensuring equitable opportunities that protect all community members from gender- and sex-based discrimination. Not only is this the law — it is also deeply embedded in Brown's values and campus-wide commitment to diversity and inclusion.

The Excellence in Athletics Initiative advances the University's strong commitment to providing equal opportunity to women and men in varsity athletics, in addition to boosting the <u>competitiveness</u> of varsity sports at Brown.

It sustains compliance with the University's gender equity obligation under Title IX. It will increase the percentage of varsity athletic participation opportunities for women athletes to be even more closely aligned with the percentage of women in the undergraduate student body, and it provides a wide and diverse array of students with robust opportunities for competitive play at the varsity and club levels.

#### What is Title IX? What does it have to do with athletics?

Title IX of the federal Education Amendments of 1972 prohibits all colleges and universities that receive federal funding from discriminating on the basis of sex in its programs and activities, including athletics.

Schools with varsity programs must provide equal access to opportunities to women and men, and ensure that men's and women's teams are treated equally regarding resources, facilities and services.

#### How does Brown demonstrate its compliance with Title IX?

Based on regulations and guidance from the Office for Civil Rights of the U.S. Department of Education, universities can demonstrate the compliance of varsity athletics programs with Title IX in different ways.

Brown does so by ensuring that the proportion of varsity athletics opportunities offered to women corresponds with the percentage of Brown undergraduate students who are women, and likewise for men — a concept called substantial proportionality.

#### What was the Cohen v. Brown lawsuit? How does it affect Brown's approach to Title IX compliance?

Universities are afforded some variance between the gender breakdown of the undergraduate population and the portion of female or male varsity athletic participation opportunities. Brown's approach is guided by the outcome of a 1992 federal lawsuit, *Cohen v. Brown*, in which the court found that women athletes were underrepresented at Brown compared to the number of women undergraduates.

Based on the terms of a 1998 settlement agreement that ended the case, the University agreed to maintain no more than a 3.5% variance between the percentage of women in the undergraduate population and the percentage of varsity athletic participation opportunities for women. Brown also

agreed that it would further decrease this cap to 2.25% if it made one of several changes to its varsity athletics, including the elimination of any existing women's or coed varsity team.

#### How will the revised roster of varsity teams reflect the commitment to gender equity?

In launching the Excellence in Athletics Initiative, Brown's revised roster of teams was determined through an extensive, data-driven review that considered gender equity among the essential criteria for decision-making.

With the changes to the lineup of varsity teams, the University's proportionality requirement will move to a maximum 2.25% variance. The composition of teams and squad sizes will comply in full with the terms established via the *Cohen v. Brown* settlement agreement.

In practice, the initiative will extend Brown's commitment to gender equity in athletics even further. With the changes being made to the roster of varsity teams, Brown will increase the percentage of varsity opportunities for women athletes to be even more closely aligned with the percentage of women in the undergraduate student body.

#### How does the initiative support diversity and inclusion in Brown Athletics?

The initiative will align with the University's diversity and inclusion efforts, expanding opportunities for non-recruited athletes to participate in competitive club sports and enhancing diversity on teams, which already attract student-athletes from diverse backgrounds.

Ultimately, Brown's full suite of athletics programs will recognize the robust athletic interests and abilities of all student-athletes and provide a wide group of students a comprehensive set of opportunities for competitive play at both the varsity and club levels.

#### **Decision Process**

#### What led Brown to explore these changes to its athletics program?

The Excellence in Brown Athletics Initiative aligns with a philosophy of ongoing self-examination in pursuit of distinction at the University — this applies to all aspects of academics, operations and student life. There have been two assessments of Brown athletics in the past decade.

In 2011, then-President Ruth Simmons charged an Athletics Review Committee to develop a vision and plan for intercollegiate athletics at Brown. A proposal for strengthening the Department of Athletics and providing more sustainable support for varsity teams focused on reducing budgets, a reduction in recruiting slots and reducing the number of varsity teams, as well as other changes. The University ultimately deferred the decision about changing the number of varsity teams.

In 2018-19, consultants with expertise in Division I athletics conducted an external review of Brown sports and found that the large number of varsity teams was a barrier to competitiveness. The reviewers observed that "some sports struggle producing a roster that can merely participate let alone be competitive."

#### What was the process for determining the revised rosters of varsity and club sports?

The <u>history</u> of the Excellence in Brown Athletics Initiative dates back to an external review of Brown Athletics conducted in the 2018-19 academic year, which found that the high number of varsity sports at

Brown (at 38, the second highest in the Ivy League and third highest in the country) hindered competitiveness.

In January 2020, University President Christina H. Paxson appointed a Committee on Excellence in Athletics and charged its members to make recommendations to enhance the quality of the student experience in athletics.

The revised roster of varsity teams was determined through a thorough, data-driven review. The Committee on Excellence in Athletics assessed such factors as the existing strengths of each team; current squad sizes; and the quality of facilities available for practice and competition. The committee considered, for instance, that Rhode Island does not have mountains to support a strong program in skiing, and not enough courts to host championship squash competitions, while we have one of the best sailing bays in the country and a new sailing facility. These were among the many factors of the analysis performed for each sport.

The committee was guided by the following principles in its considerations:

- enhancing the quality of the student experience in athletics
- increasing competitiveness in varsity athletics
- providing for gender equity
- ensuring diversity and inclusion
- sustaining reasonable support for the pursuit of excellence
- building a stronger University community with a focus on affinity, pride and collegiate loyalty

#### Who approved these decisions?

In May 2020, Brown's governing body, the Corporation of Brown University, approved a set of recommendations put forward by University President Christina H. Paxson arising from the work of the Committee on Excellence in Athletics. This included recommendations to transition 11 varsity teams to club status and transition two club teams to varsity status to increase Brown's competitiveness, as well as to enhance club sports at Brown.

#### What was the charge of the Committee on Excellence in Athletics?

To develop a proposal with recommendations to determine the numbers and identities of varsity and highly competitive club sports at Brown which accommodate students' athletic interests and abilities.

#### Who were the members of the Committee on Excellence in Athletics?

Committee members were selected for their strong support for athletics at Brown and their capacity to make very difficult recommendations in a fair and objective manner.

- Kevin A. Mundt '76 (Chair), Trustee emeritus of the Corporation of Brown University and chair of the Athletics Advisory Council
- Richard Caputo, Jr. '88, Trustee of the Corporation of Brown University
- Kathryn Quadracci Flores '90, President's Leadership Council and Athletics Advisory Council
- Earl Eugene Hunt II '03, President's Leadership Council and newly appointed Trustee of the Corporation of Brown University (effective July 1, 2020)
- Jonathan M. Nelson '77, Fellow of the Corporation of Brown University
- Paula McNamara '84, Trustee emerita of the Corporation of Brown University and previous president of the Brown University Sports Association
- Eileen Goldgeier '85 (ex officio), Brown University Vice President and General Counsel

The committee was staffed by Jack Hayes, director of athletics, and Marguerite Joutz, chief of staff and assistant to the president.

To ensure that committee members could fulfill their charge without external influence, the composition of the committee was not announced until the conclusion of its work.

#### Who can I contact if I have questions?

Members of the Brown community who have questions about the Excellence in Brown Athletics Initiative may email <a href="mailto:athletics">athletics</a> initiative@brown.edu.

# "Excellence in Brown Athletics Initiative" Phone Script/Talking Points for May 28, 2020, Announcement

Note: This is not a mandated script. The flow of your discussion and the questions asked will inform the talking points you'll use to be responsive to interest/concerns.

[Greeting/Salutation]

[pleasantries]

I'm calling because Brown is about to make a significant announcement about the athletics program. [ / because of Brown's significant announcement about the athletics program].

You're an important member of the Brown sports community, and Brown President Christina Paxson has asked some of us with close ties to the University to make some calls to [engaged alumni like you] to ensure that you're among the first to know.

You may know that I serve as [insert engagement role] for Brown. And I'm proud that we have an administration that really cares about athletics. It has been decades since we had a president who truly embraces Brown athletics and the value of competition.

You'll see President Paxson cheering on our athletes on the sidelines and in the stands. She's a true sports fan. And so it's probably no surprise that this administration is looking closely at Brown's athletics program and thinking about excellence the same way the University looks at excellence in academics.

For over a year, the University has been engaged in assessments focused on our lineup of varsity and club sports. We have 38 varsity teams, the third highest in the entire country behind Stanford and Harvard. At the same time, in the decade from 2009 to 2018, Brown garnered only 2.8% of Ivy titles, the lowest in the Ivy League.

Brown wants to change that. Brown has a vision for varsity athletics that is all about advancing the ideal of the scholar-athlete who embraces excellence in academics and in their sports, while competing on teams that are among the most competitive among university peers.

[Tomorrow/Later today/Earlier today] Brown will announce [announced] an initiative to improve the competitiveness of Brown Athletics. This is very exciting news for Brown.

The University wants to do exactly what it has done for its academic programs, and distribute resources strategically to build on Brown's strengths in athletics to build a roster of teams that can really compete.

Brown is calling this the "Excellence in Brown Athletics Initiative." The goal is to build competitiveness in varsity athletics, while also enhancing the strength club sports.

The initiative has four parts.

- 1. Brown is revising the roster of varsity sports through a net reduction in teams from 38 to 29, while enhancing existing club team offerings at the same time.
- 2. Brown will continue to focus on admission and recruitment of outstanding student-athletes, as well maintaining roster sizes that build competitiveness.
- 3. The University will enhance its focus on coaching, training and conditioning, including professional development for athletics staff.
- 4. Brown will advance facilities improvements that will make a difference in recruiting talented coaches and student-athletes, and improve competitiveness in varsity athletics.

What's important to emphasize here is that, at a time when other programs across the country are reducing resources, Brown will maintain its current operational budget for varsity athletics.

Brown also will continue to recruit the same number of varsity athletes so that varsity squad sizes can be right-sized.

The smaller number of varsity teams will support stronger recruiting in the admissions process, creating an opportunity for a deeper bench of talent on each team.

- The change in Brown's composition of varsity and club teams will go into effect for the 2020-21 academic year. Effective immediately, Brown will stop training, competition and related operations at the varsity level for these 11 sports:
  - men and women's fencing;
  - men and women's golf;
  - women's skiing;
  - men and women's squash;
  - o women's equestrian; and
  - o men's track, field and cross country (which are three varsity sports under federal Title IX rules).
  - In addition, club coed sailing and club women's sailing each will transition to varsity status.
- That results in the net reduction in the number of varsity teams from 38 to 29.
- [For skeptical stakeholders: I know you are aware of an effort back in 2011 to reduce the number of sports and reduce resources for athletics. <u>This is</u> <u>different</u>.]
- Again, this is about strategically redistributing resources to build a varsity athletics program for women and men that can be among the most competitive among its peers.
- Club sports, which provide competitive athletics opportunities open to wider participation among students, are also a major part of Brown's plans. Brown is committed to providing more support for club sports.

 Operating funds made available with the reduction in varsity teams will be allocated strategically within the Department of Athletics.

#### Why is Brown taking this step?

- I'll say again that we have an administration at Brown that really cares about athletics and our student athletes.
- We all know that students who attend Brown and compete at the varsity level want to experience competitive play with success.
- We also know that competitive varsity teams contribute to building cohesive university communities. They build affinity and pride.
- In the past 10 years, we've seen that in the way our entire community rallied around women's soccer last year. And we experienced it in the way our entire community was on their smart phones and checking sports updates when the Men's Lacrosse team advanced to NCAA tournament play in 2016.
- We have seen exceptional performance from really great teams, but we want to do better than 2.8% of Ivy titles in a decade.
- Brown's goal is to build a varsity athletics program for women and men that could be among the most competitive among Brown's peers in the next 10 years.
- Brown knows that revising the roster of teams is only one part of achieving this goal, so the focus on recruiting, professional development for coaches and facilities are the other significant parts of the initiative.

#### How did Brown develop these plans and reach this decision?

The origins of the Excellence in Brown Athletics Initiative date back to an external review of Brown Athletics conducted in 2018-19, when consultants found that the high number of varsity sports at Brown was a barrier to competitiveness.

- In January 2020, President Christina Paxson appointed a Committee on Excellence in Athletics charged with considering the composition of varsity and club sports at Brown. The goals were to increase the competitiveness of varsity teams, provide equal opportunities to participate in varsity athletics for women and men, and enhance club sports.
- The committee conducted a thorough review of the existing strengths of each team, current roster sizes, the quality of facilities available for practice and competition, and the potential of the sport to generate community engagement.
- The decision to change the status of 13 of Brown's teams (11 varsity and 2 clubs) followed recommendations from the committee.
- Brown's approach is heavily influenced by the University's commitment to gender equity and compliance with Title IX.
  - o Federal Title IX rules govern access to opportunities in athletics.
  - Also, Brown has a settlement agreement from a 1992 lawsuit that establishes very clear rules for the representation of women in Brown athletics relative to the composition of undergraduate women in the student body.
  - The revised roster of teams will increase the percentage of varsity athletic participation opportunities for women athletes to be even more closely aligned with the percentage of women in the undergraduate student body.

#### How will Brown support student athletes in this transition?

- Brown is being sensitive to the needs of its student-athletes in the timing and transition of the 11 varsity teams to club status.
- The timing of the announcement is about giving student-athletes as much time as possible to make decisions.

- Brown will provide assistance in counseling students about their options for remaining at Brown or, if they choose, transferring to another school.
- The fact that COVID-19 has raised uncertainty nationwide about collegiate competition next year means that effecting the change in varsity status now for the identified teams may provide Brown's student athletes with extra time to make decisions.
- Brown has a robust club sports program that we want to make sure meets the needs of students-athletes. Men's rugby is a prime example of a highly competitive club sport at Brown; it has a deep history of leading in Ivy League championships.
- Students and alumni who competed in sports that were varsity through the 2019-20 year will remain eligible for Hall of Fame distinction, honoring the varsity history of the sport at Brown.

#### Points for responding to deeper questions/arguments:

- At the start of the 2019-20 academic year, almost 900 students competed across Brown's 38 varsity teams, including non-recruited athletes invited to "walk on" to complete team rosters. About 150 will be impacted by the changes in the lineup of varsity teams.
- For both varsity and club sports, Brown recognizes the power of competitive athletics to bring together students, faculty, staff, families and alumni to build pride, affinity and a strong sense of community.
- The following principles guided the decision for which teams would be varsity and which club:
  - Enhancing the quality of the student experience in athletics,
  - Providing for gender equity,
  - Ensuring diversity and inclusion,
  - Sustaining reasonable support for the pursuit of excellence,
  - Increasing competitiveness in varsity athletics, and
  - Building a stronger University community with a focus on collegiate loyalty.

- While universities in some areas of the country have announced reductions in athletics programs as budget relief (in the wake of the 2019 novel coronavirus), this initiative at Brown is not a measure to reduce budget or an effort to contend with the financial impact of the COVID-19 pandemic.
- This is a strategic opportunity to invest even further in advancing excellence in Brown's full lineup of sports programs.
- There are no financial aid implications for aided students because Brown and the lvy League institutions do not award athletic scholarships.

[FAQ will be provided as a supplement to these messaging points]

#### For Callers – "Unable to reach you" email template

[TO SEND AFTER 1:45 P.M. May 28 (after Brown announcement) —Do <u>not</u> send anything in writing immediately after attempting to call]

Dear X,

I hope this note finds you safe and well. You might have received my message that I tried calling you [this morning/earlier today]. I regret I was unable to reach you.

I was calling to let you know that Brown was preparing for a significant announcement about the athletics program. You're an important member of the Brown sports community, and Brown President Christina Paxson asked some of us with close ties to the University to make some calls to [engaged alumni like you] to ensure that you would be among the first to know.

By now, you may have seen <u>Brown's announcement</u>, and I hope you received the letter that President Paxson sent to all Brown students, staff, faculty, alumni, donors and parents this this afternoon.

You may know that I serve as [insert engagement role] for Brown. And I'm proud that we have an administration that really cares about athletics. This administration is looking closely at Brown's athletics program and thinking about excellence the same way the University looks at excellence in academics.

Through an effort that Brown is calling the Excellence in Brown Athletics Initiative," the University wants to build competitiveness in varsity athletics, while also enhancing the strength club sports. I would like to tell you more about the exciting changes that Brown is embarking on to reshape athletics at Brown.

Feel free to give me a call back. You can reach me [insert contact information].

Sincerely,

# "Excellence in Brown Athletics Initiative" Phone Script/Talking Points for May 28, 2020, Announcement

Note: This is not a mandated script. The flow of your discussion and the questions asked will inform the talking points you'll use to be responsive to interest/concerns.

[Greeting/Salutation]

[pleasantries]

I'm calling because Brown is about to make a significant announcement about the athletics program. You're an important member of the Brown sports community, and Brown President Christina Paxson has asked some of us with close ties to the University to make some calls to [engaged alumni like you] to ensure that you're among the first to know.

You may know that I serve as [insert engagement role] for Brown. And I'm proud that we have an administration that really cares about athletics.

[Tomorrow/Later today] Brown will announce that the University will reduce the number of its varsity athletics teams with the goal of improving the competitiveness of varsity athletics while enhancing the strength of club sports.

- As part of an "Excellence in Brown Athletics Initiative," the University will transition 11 teams to club status and transition two club teams to varsity status. That will mean a net reduction in the number of varsity teams from 38 to 29.
- This change in Brown's composition of varsity and club teams will go into effect for the 2020-21 academic year. Effective immediately, Brown will stop training, competition and related operations at the varsity level for these 11 sports:
  - men and women's fencing;
  - o men and women's golf;
  - o women's skiing;
  - o men and women's squash;
  - o women's equestrian; and
  - men's track, field and cross country (which are three varsity sports under federal Title IX rules).
  - In addition, club coed sailing and club women's sailing each will transition to varsity status.
- [For skeptical stakeholders: I know you are aware of an effort back in 2011 to reduce the number of sports and reduce resources for athletics. This is different.]

- This is about strategically redistributing resources to build a varsity athletics program for women and men that can be among the most competitive among its peers.
- Brown will continue to recruit the same number of varsity athletes so that varsity squad sizes can be right-sized.
- The smaller number of varsity teams will support stronger recruiting in the admissions process, creating an opportunity for a deeper bench of talent on each team.
- Brown also will maintain its current operational budget for varsity athletics.
- Club sports, which provide competitive athletics opportunities open to wider participation among students, are also a major part of Brown's plans. Brown is committed to providing more support for club sports.
- Operating funds made available with the reduction in varsity teams will be allocated strategically within the Department of Athletics.

#### Why is Brown taking this step?

- We have an administration at Brown that really cares about athletics and our student athletes.
- We all know that students who attend Brown and compete at the varsity level want to experience competitive play with success.
- We also know that competitive varsity teams contribute to building cohesive university communities. They build affinity and pride.
- But in the decade from 2009 to 2018, Brown garnered only 2.8% of lvy titles, the lowest in the lvy League.
- Brown's goal is to build a varsity athletics program for women and men that could be among the most competitive among Brown's peers in the next 10 years.
- Brown knows that revising the roster of teams is only one part of achieving this goal. There are four parts of this initiative. Brown will:
  - 1. Revise the roster of varsity sports through a net reduction in teams from 38 to 29, while enhancing existing club team offerings.

- 2. Continue to focus on admission and recruitment of outstanding student-athletes, as well maintaining roster sizes that build competitiveness.
- 3. Enhance the University's focus on coaching, training and conditioning, including professional development for athletics staff.
- 4. Advance facilities improvements that will make a difference in recruiting talented coaches and student-athletes, and improve competitiveness in varsity athletics.

#### How did Brown develop these plans and reach this decision?

- The origins of the Excellence in Brown Athletics Initiative date back to an external review of Brown Athletics conducted in 2018-19, when consultants found that the high number of varsity sports at Brown was a barrier to competitiveness.
- In January 2020, President Christina Paxson appointed a Committee on Excellence in Athletics charged with considering the composition of varsity and club sports at Brown. The goals were to increase the competitiveness of varsity teams, providing equal opportunities to participate in varsity athletics for women and men, and enhancing club sports.
- The committee conducted a thorough review of the existing strengths of each team, current roster sizes, the quality of facilities available for practice and competition, and the potential of the sport to generate community engagement.
- This decision to change the status of 13 of Brown's teams (11 varsity and 2 clubs) followed recommendations from the committee.
- Brown's approach is heavily influenced by the University's commitment to gender equity and compliance with Title IX.
  - o Federal Title IX rules govern access to opportunities in athletics.
  - Also, Brown has a settlement agreement from a 1992 lawsuit that establishes very clear rules for the representation of women in Brown athletics relative to the composition of undergraduate women in the student body.
  - The revised roster of teams will increase the percentage of varsity athletic participation opportunities for women athletes to be even more closely aligned with the percentage of women in the undergraduate student body.

#### How will Brown support student athletes in this transition?

 Brown is being sensitive to the needs of its student athletes in the timing and transition of the 11 varsity teams to club status.

- The timing of the announcement is about giving student athletes as much time as possible to make decisions.
- Brown will provide assistance in counseling students about their options for remaining at Brown or, if they choose, transferring to another school.
- The fact that COVID-19 has raised uncertainty nationwide about collegiate competition next year means that effecting the change in varsity status now for the identified teams may provide Brown's student athletes with extra time to make decisions.
- Brown has a robust club sports program that we want to make sure meets the needs of students athletes.
- Students and alumni who competed in sports that were varsity through the 2019-20 year will remain eligible for Hall of Fame distinction, honoring the varsity history of the sport at Brown.

#### Points for responding to deeper questions/arguments:

- For both varsity and club sports, Brown recognizes the power of competitive athletics to bring together students, faculty, staff, families and alumni to build pride, affinity and a strong sense of community.
- The following principles guided the decision for which teams would be varsity and which club:
  - Enhancing the quality of the student experience in athletics,
  - Providing for gender equity,
  - Ensuring diversity and inclusion,
  - Sustaining reasonable support for the pursuit of excellence,
  - Increasing competitiveness in varsity athletics, and
  - Building a stronger University community with a focus on collegiate loyalty.
- While universities in some areas of the country have announced reductions in athletics programs as budget relief (in the wake of the 2019 novel coronavirus), this initiative at Brown is not a measure to reduce budget or an effort to contend with the financial impact of the COVID-19 pandemic.
- This is a strategic opportunity to invest even further in advancing excellence in Brown's full lineup of sports programs.

[FAQ will be provided as a supplement to these messaging points]