

Athletic Policy Manual

of

Duke University

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I. GENERAL

A. Mission Statement for Duke Athletics

The University endeavors to provide a program of intercollegiate athletics from which participating students can derive all the benefits that participation in competitive sports confers. The goal of the intercollegiate program is the same as that of the University's academic programs: excellence. In this context, excellence includes commitment to the physical and emotional well-being and social development of student-athletes, as well as to the development of their sense of citizenship, dedication to sportsmanship and fair play, the development of individual and team skills, the exertion of best effort, the will to win, and general conduct that brings credit to the University and is a source of pride and enthusiasm for all members of the Duke community.

The measure of excellence when applied to intercollegiate athletics means also a level of performance that frequently will produce winning seasons and the realistic opportunity to compete for team or individual championships. It requires that students engaged in intercollegiate athletics be students first, that they be admitted according to this criterion, that they progress satisfactorily toward a degree, and that their attrition and graduation rates as student-athletes not be significantly different from those of non-athletes.

Duke's intercollegiate program shall be composed of nationally or regionally recognized sports that satisfy the following criteria: they meet the needs, interests, and abilities of male and female students; they provide adequate institutional collateral benefits; they reflect due regard for the athletic traditions of Duke University, as well as future promise; they fall within Duke's abilities to provide appropriate facilities; they geographically allow Duke to schedule conveniently and competitively; and they fall within financial capabilities of Duke University to fund adequately.

The mission of Recreation and Physical Education is to provide exceptional and diverse opportunities that promote healthy active lifestyles in a safe, inclusive environment. Recreation and Physical Education envisions inspiring people to lead healthy active lives while valuing communication, integrity, teamwork, healthy lifestyles, fun, safety, and inclusiveness.

The overall mission of the athletics program, ultimately, is that of Duke itself: "to engage the mind, to elevate the spirit, and stimulate the best effort of all who are associated with the University."

B. Introduction

This Manual contains the policies and procedures regarding intercollegiate and club sport programs of Duke University. All sections of this Manual, except "The Board of Trustees Policy for Athletics" (See II) and "The Athletic Council," (See III, B) are administrative matters under the control and direction of the President and may be modified by the President without referral to the Board.

An annual review of this Manual will be conducted by the Director of Athletics, Chair of the Athletic Council, and the University Faculty Athletics Representative. A written report recommending changes will be made to the President. The President will respond,

presenting appropriate matters to the Board of Trustees at his or her discretion.

Changes in this Manual will be made only by the President or Board of Trustees. Changes in policy approved by the President or Board of Trustees will be incorporated in the Manual in an appropriate manner.

Official copies will be maintained in the President's Office, the Office of the Secretary of the Athletic Council, and the Office of the Director of Athletics.

Copies will be furnished to each Athletic Council member and will be available to others in the Duke community by display on appropriate websites or upon request to the Chair of the Athletic Council or the Faculty Athletics Representative.

C. Authority for Athletic Policy

The athletic policy of Duke University is established by the Board of Trustees on recommendation by the President. Administration of the policy is under the direct control of the President through the Director of Athletics. The President has three immediate sources of advice and support: the Athletic Council and its Chair, the Director of Athletics, and the Faculty Athletics Representative.

II. TRUSTEE RESPONSIBILITY

A. The Board of Trustees Policy for Athletics

The Board of Trustees endorses the mission statement for Duke Athletics and authorizes the President to realize the mission by overseeing athletics at Duke.

In particular, it shall be the responsibility of the President, acting on the advice of the Athletic Council, Director of Athletics, and Faculty Athletics Representative, to establish and apply criteria to determine which sports will be added or eliminated for intercollegiate competition within the financial parameters authorized by the Board of Trustees.

III. ADMINISTRATIVE RESPONSIBILITY

A. President's Implementation of Board Policy

The President has implemented the Board policy through this Manual. The Board policy, among other items, requires:

1. The establishment of academic requirements for admissions and eligibility. (See IV: A, B, and C)
2. Implementation of criteria and procedures for determining what sports shall be included in (1) the intercollegiate athletics program, and (2) in the club sport program. (See IV: F and J)
3. A plan, formula, and projection for financial support. (See IV: K)

B. The Athletic Council

The Board of Trustees reconstituted the Duke University Athletic Council on December 10, 1971. Previously, the Athletic Council was reconstituted by the Executive Committee on January 8, 1949 by a resolution that changed the structure of the original Athletic Council established in June 1907. The Board again changed the structure to conform with amended NCAA requirements on February 28, 1974. The composition and responsibilities of the Council are now governed by resolutions enacted on September 24, 1983, and on February 24, 2007.

1. Composition

The Athletic Council shall be composed as follows:

- a. A Chair, chosen by the President from the seven faculty members who serve on the Athletic Council (see b. below), after consultation with the Executive Committee of the Academic Council. The term of the Chair is three years.
- b. Seven faculty members, appointed for three-year terms by the President after receiving a nomination or nominations from the Executive Committee of the Academic Council. Faculty terms will be staggered so that at least one faculty member will be appointed each year. Individuals may be re-appointed for an additional three-year term. One faculty member appointed under this subdivision shall be elected by the Council as vice-chair;
- c. Two faculty members who are serving as undergraduate deans shall be appointed annually by the President after consultation with the Executive Committee of the Academic Council;
- d. Two undergraduate students appointed annually by the President, upon advice of Duke Student Government;
- e. One student, appointed annually by the President from the Graduate School or one of the professional schools of the University, in alternate years, upon advice of the Graduate and Professional Student Council (GPSC);
- f. One student, appointed annually by the President, upon advice of the Student-Athlete Advisory Council;
- g. One student, appointed annually by the President, upon advice of the Club Sports Council;
- h. Three alumni, one of whom is elected annually by the Board of the General Alumni Association, for a term of three years. Individuals may be reappointed for an additional three-year term;

- i. Two trustees, one of whom may be emeritus, selected for three-year terms by the Chair of the Board of Trustees;
- j. Three representatives of the University Administration, who may or may not be members of the faculty, selected annually by the President;
- k. The Director of Alumni Affairs shall serve as the Secretary of the Council.
- l. The Faculty Athletics Representative serves as an *ex officio* voting member of the Council.
- m. The Director of Athletics serves as an *ex officio* non-voting member of the Council.

2. Committees

- a. The Academic Committee shall consist of all faculty members of the Athletic Council, elected according to paragraphs a, b c, and l above, and shall have the responsibility of enforcing and monitoring, but not administering, scholarship, athletic admissions, and grants-in-aid requirements of the University for participation in intercollegiate sports, under such policies as shall be established by the Provost. No requirement at Duke shall be less stringent than the eligibility rules of the Atlantic Coast Conference and the National Collegiate Athletic Association. This committee will conduct an annual, comprehensive analysis of the admissions profiles, class performance, and graduation rates for student-athletes. Further, this committee shall review applicable policies and practices where appropriate and shall conduct periodic review of athletics academic support services. Finally, members of this committee will conduct annual student-athlete exit interviews. This committee shall provide an annual report to the Provost and its findings shall be included in the annual report to the President. The chair of the Athletic Council will serve as chair of the committee.
- b. The Executive Committee of the Athletic Council shall be designated by the President, and be composed of the Chair, the Vice Chair, the Secretary of the Council, one additional faculty member whose term at time of original appointment has remaining at least two years, the Faculty Athletics Representative, one trustee, one student, one alumnus, one member of the University Administration, and one academic Dean. The committee will meet annually with the President, the Provost, and the Director of Athletics to set major Council agenda items for the year ahead.
- c. The Compliance Oversight Committee shall be chaired by the

Faculty Athletics Representative and be composed of the Chair of the Athletic Council, the Vice Chair of the Athletic Council, the University Registrar, the Dean of Undergraduate Admissions, the Director of the Office of Undergraduate Financial Aid, and a representative from the University Counsel's Office. This committee shall seek to ensure that the University is exercising adequate "institutional control" over athletics, as defined in the "Principles of Institutional Control as Prepared by the NCAA Committee on Infractions" (February 6, 1996). It shall meet at least once per semester with the chief compliance administrator in the Department of Athletics to review compliance policies and procedures. Its findings shall be included in the annual report to the President.

3. Duties

The Athletic Council shall meet at least once each semester, and at such other times as it shall determine. The functions of the Council shall be performed by its Executive Committee between the dates of the scheduled meetings of the Council. The council shall:

- a. Promote an understanding of intercollegiate athletics and Recreation and Physical Education among faculty members and other members of the Duke community.
- b. Promote the adoption and maintenance of strict academic standards at Duke University and in the NCAA and the ACC by-laws, regulations, and legislation.
- c. Provide general oversight of the athletic budget and review in the spring of each year the projected athletic budget forecast with the Director of Athletics, giving him or her and the President the benefit of its advice concerning allocations of funds for different athletic purposes within the limits of funding made available by the University.
- d. Monitor compliance with Title IX in athletic matters as a shared responsibility with the Director of Athletics. The University Counsel has the primary responsibility for compliance with Title IX provisions. The University Counsel will furnish advice to the Athletic Council. The Chair shall also call on the Vice President for Institutional Equity for additional advice and recommendations.
- e. Review the reports of its Academic and Compliance Oversight Committees and take appropriate action.
- f. Determine, with concurrence of the Director of Athletics, what sports shall be classified as intercollegiate; provided that if a new

sport is added, it will normally be as a replacement of an existing intercollegiate sport, or the required funds must, to the satisfaction of the President, be identified and provided exclusive of appropriations from the general University budget; determine, with concurrence of the Director of Athletics, what sports shall be dropped as intercollegiate sports and classified as club sports.

- g. Make recommendations to the President, Provost, and appropriate faculty bodies concerning eligibility requirements for participation in intercollegiate athletics and the awarding of financial assistance.

4. Responsibilities of Chair of the Athletic Council

The Athletic Council has a chair, selected by the President from the seven faculty members appointed to the Council. The President will consult with the Executive Committee of the Academic Council and seek its advice in the selection of the Chair. The duties of the Chair include:

- a. Preside over and assure the efficient functioning of the Athletic Council;
- b. Meet with the Executive Committee of the Academic Council at least once per semester and make one presentation each academic year to the Academic Council.
- c. Bring the Director of Athletics and the Athletic Council together on matters of mutual responsibility;
- d. Assure that required reports and recommendations from the Athletic Council are forthcoming to the President, Provost, and others;
- e. Report the concerns of the faculty relative to athletics to the President and the Director of Athletics;
- f. Interpret to the faculty, especially the Academic Council when so requested, Duke's athletic policies and activities.
- g. Perform other duties as assigned by the President, requested by ECAC, or discussed in Appendix I.

5. Terms of Athletic Council Members

The terms of members shall begin on July 1. The person appointed to fill a vacancy shall serve to the end of the original term. Student, dean, and administrator terms are one year.

C. Responsibilities of the Faculty Athletics Representative

The Faculty Athletics Representative is chosen by the President from the faculty. This appointment is the sole prerogative of the President, who is not required by the Board Resolution, as he/she is when appointing the seven faculty members of the Athletic Council, to first receive nominations from the Executive Committee of the Academic Council. The President will, however, consult with the Executive Committee of the Academic Council and seek its non-binding advice in the selection of the Faculty Athletics Representative. The term is normally 5 years, renewable by the President; the Faculty Athletics Representative serves at the will of the President. The Faculty Athletics Representative will:

1. Advise the President on all relevant matters;
2. Work with the Director of Athletics and the Chair of the Athletic Council in coordinating the functions of the Council and the duties and responsibilities of the Director of Athletics;
3. Serve as spokesperson to the faculty on behalf of the President on matters appropriate to his or her position and be available to provide information and answer any questions pertaining to Atlantic Coast Conference and National Collegiate Athletic Association membership.
4. Represent the President at the Atlantic Coast Conference and at the National Collegiate Athletic Association as directed by the President and designated by these organizations;
5. Elicit information and advice from the Athletic Council and transmit it to the President;
6. Monitor all athletic activities and confer regularly with the President on all matters which should come to his or her attention;
7. Report the concerns of the faculty relative to athletics to the President and the Director of Athletics;
8. Interpret to the faculty, especially the Academic Council and the Executive Committee of the Athletic Council (ECAC) when so requested, Duke's athletic policies and activities.
9. Perform the duties of the Faculty Athletic Representative as required by the ACC and NCAA, as well as those specified in Appendix I.

D. Responsibilities of the Director of Athletics

The Director of Athletics reports directly to the President. He/She is responsible for the intercollegiate athletics program and the Recreation and Physical Education program. The Director is responsible for the performance and activities of the various coaches, for fund raising for the athletics programs, for the maintenance and improvement of athletic facilities, and for such other duties as assigned by the President. The responsibilities of

the Director of Athletics include:

1. The Director of Athletics has primary responsibility for the integrity of the intercollegiate athletics program and the strict observance of all relevant University, Atlantic Coast Conference, and National Collegiate Athletic Association rules and regulations. The Director of Athletics shall report to the President any action which may reasonably be construed as constituting an infraction.
2. The Director of Athletics is expected to attend regular and called meetings of the Athletic Council and meetings of committees of the Council upon request. The Director of Athletics, on behalf of the President, will seek advice from the Council and Faculty Athletics Representative on all appropriate matters and, to the extent appropriate, inform them on all actions and anticipated actions relating to the athletics program.
3. The Director of Athletics is responsible for the budget of the Department of Athletics and will make a budget report each spring to the Athletic Council.
4. The Director of Athletics is responsible for making recommendations to the President regarding the selection and retention of head coaches in the various sports, in accord with the procedures and responsibilities set out in Section IV: L.
5. The Director of Athletics, in consultation with the Athletic Council, is responsible for advising the President on criteria to determine which sports will be eliminated or added for intercollegiate competition.

The Director of Athletics will be evaluated on the basis of his or her general management of the department; the integrity of the intercollegiate program; the academic success of intercollegiate teams; his or her ability to minimize the level of University subvention by raising endowment, generating external funding, or effecting internal economies; and his or her participation as a leader in the Duke community.

IV. ATHLETIC POLICIES AND PROCEDURES

A. Admissions

The responsibility for the admission of students who evidence an interest in intercollegiate athletics, whether recruited or not, has been delegated to the Provost. Individual decisions are entrusted to the Dean of Undergraduate Admissions, who may exercise such authority personally or delegate it to one or more subordinates.

At present, the Dean of Undergraduate Admissions directly exercises authority over the admission of students recruited to play football and men's and women's basketball and has delegated the responsibility to subordinates for other sports.

Some admissions policies and procedures are the same for all sports. Some procedures

are different for football and men's and women's basketball, and for exceptional cases, such as when a student recruited for a non-revenue sport is required to respond to a verified scholarship offer deadline imposed by another institution.

1. Admissions Office Policies for Scholarship Athletes Applicable to all Sports
 - a. No student-athlete shall be admitted to Duke unless he or she is able and willing to do the academic work required for graduation and to contribute appropriately to the Duke community. The decision to admit will be based on the professional opinion of the Dean of Undergraduate Admissions or his or her designee.
 - b. Each team is allowed a specific number of places in the student body ("spots") for recruited student-athletes whose admission is approved by the Admissions Office. The total number of spots available to each team will be determined by the agreement between the Dean of Admissions and the Director of Athletics. The number of spots available to a team in a given year will normally be the difference between the total number of spots and the number of students offered a spot previously who are still Duke undergraduates. Any spots not used by a team in a given year will revert to the Admissions Office to be used in the normal admissions process that year.
 - c. No coach may appeal an admissions decision once it has been finalized in the Office of Admissions.
 - d. Contacts concerning admissions with the Office of Admissions should be made only by the head coach or one designated assistant.
 - e. The Office of Admissions will provide admissions materials for distribution to recruited athletes upon request.
 - r. Every recruited student-athlete must, at the time of admission, meet or be on track to meet, the eligibility standards of the ACC and NCAA. Any exceptions to this rule must meet with the approval of the Dean of Admissions and be reported to the Provost and the Director of Athletics.
 - g. No applicant will be offered assurance of admission prior to consideration by the Office of Admissions. Coaches must be explicit in communicating with recruited students and their parents that the only valid offer of admissions is the admission letter from the Dean of Admissions.
 - h. Appointments for interviews for prospective scholarship athletes will be made by coaches at least one week in advance. Interviews will normally be held within office hours.

- i. The credentials of a prospect must be tentatively approved by the Office of Admissions before a prospective student-athlete makes a visit for which Duke is paying, unless such approval is waived by the Director of Athletics.
 - j. Interviews of recruited prospective student-athletes may be required at the discretion of the Admissions Office.
 - k. As with other applicants, additional writing samples may be required from prospects whose preparation for the Duke curriculum needs to be further assessed.
 - l. Coaches have the responsibility to inform the Office of Admissions of the identity of those applicants tentatively approved for admission to whom athletic grants-in-aid may be offered. The Office of Admissions will normally write the applicant that he or she has been admitted within three days of receiving notification, with a copy to the coach.
 - m. The coach will send notice of the signing of an athlete to a grant-in-aid to the Office of Admissions immediately.
 - n. Final secondary school transcripts will be solicited by the Office of Admissions in early summer.
2. Additional Practices Governing Football, Men's Basketball, Women's Basketball, and Exceptional Cases
- a. Before any applicant is formally presented to the Dean of Admissions, his or her credentials will include a personal information form; an official transcript, including work done in the last term; SAT or ACT scores; and secondary school report or letters from the counselor.
 - b. The Dean of Admissions may act tentatively on the file without the letters of recommendation or writing sample normally required. If the Dean of Admissions admits the student tentatively, the student has the obligation of completing his file before the final commitment of the University to admission is made. The coach will inform the Dean of Admissions immediately when a prospect signs a grant-in-aid.
 - c. Admission will be governed at a minimum by the criteria of whether the applicant can and will do acceptable work at Duke.
 - d. Coaches shall not submit the names of applicants unless they believe that the applicants can do acceptable work at Duke.
 - e. The total number of spots available for the football and basketball

teams will equal the number of athletic scholarships allowed by the NCAA for each sport. Additional admissions consideration may be given each year in football to a very small number of recruited athletes who are academically well-qualified and whose athletic ability falls slightly below the level sufficient to be offered a scholarship.

3. Additional Practices Governing All Other Sports

- a. Before any applicant is presented to the Dean of Admissions, or his or her designee, the application should be complete, including recommendations and a writing sample. A preliminary assessment whether or not to allow recruitment of a student-athlete can be made by the appropriate admissions staff member on the basis of the student's academic credentials and any additional requested information.
- b. If an applicant for whom a coach plans to use a "spot" pursuant to Section IV(a)(1)(b) is denied or declines admission, the coach may nominate an alternate. If a student admitted pursuant to Section IV(a)(1)(b) withdraws from the University while in good standing, an additional "spot" will be allocated to that sport in the ensuing year. If a student admitted pursuant to Section IV(a)(1)(b) is dismissed from Duke for non-academic reasons, the sport will have one fewer available admission spot for the following year. If a student admitted pursuant to Section IV(a)(1)(b) fails out of Duke, is dismissed for academic dishonesty reasons, or withdraws when not in good standing, the slot is forfeited until the year in which he or she would normally have graduated.

4. Admissions Role of Athletic Council

The Board Resolution creating the Athletic Council provides for an Academic Committee which "shall have the responsibility of enforcing and monitoring, but not administering, scholarship, athletic admissions, and grants-in-aid requirements of the University for participation in intercollegiate sports, under such policies as shall be established by the Provost."

This committee of the Athletic Council is not responsible for the admission of athletes and should not intervene in the process. It shall conduct an annual comprehensive analysis of the admissions profiles and graduation rates for student-athletes and recommend to the President and Provost any appropriate changes in policies and practices. All responsibility for enforcement of requirements shall be carried out through the President and Provost.

The following procedures are established to facilitate the review by the Academic Committee of the Athletic Council:

- a. At least once each year, the Registrar's Office will provide the Academic Committee of the Athletic Council information on the

academic performance of all scholarship athletes. Those reports will include SAT, high school GPA, the admissions office reader rating sum, and Duke courses and grades.

- b. This information will remain confidential, although it may be shared as the Academic Committee finds appropriate.

B. Academic Progress

High academic standards are expected of all students engaged in intercollegiate sports at Duke University. Student-athletes are required to be students first, and they are admitted according to this criterion. Student-athletes representing Duke are required to progress satisfactorily toward a degree, and their attrition rates as student-athletes should not differ significantly from those of non-athletes.

A team is excellent at Duke not only when it competes successfully, but also when it is composed of student-athletes who will graduate and who, in other respects, embody qualities with which the institution can identify. Athletic success and academic integrity are the crucial elements of athletic excellence at Duke University.

Eligibility is an academic matter to be determined by the Dean of Trinity College or the Dean of the School of Engineering. Continuing eligibility for athletic competition is based on NCAA regulations. The University Registrar is responsible for certifying continuing eligibility for athletic competition.

C. Eligibility for Grants-in-Aid

1. Initial Awards

Grants-in-aid are made by the Director of Undergraduate Financial Aid on the recommendations of the coaches. The Director of Athletics has the primary responsibility for compliance with all relevant rules and regulations, as outlined in the Duke University Bulletin, the NCAA Manual, and the Atlantic Coast Conference Handbook. University eligibility requirements are far more demanding and restrictive than either the NCAA or ACC regulations. As a result, University requirements prevail. Each grant-in-aid is awarded on the following conditions:

- a. That the student-athlete conducts himself or herself in a manner that is consistent with the norms of good sportsmanship, the Duke Community Standard, and the Undergraduate Judicial Code;
- b. That he or she fulfills all the normal academic requirements expected of Duke students each semester;
- c. That he or she abides by such rules and regulations as shall be set for his or her sport at Duke University, including participation in supervised team meetings, conditioning, training, practice, and intercollegiate competition. A student-athlete who voluntarily leaves a team shall lose the scholarship attached to playing for that

team.

- d. That he or she abides by all regulations contained in the Duke University Athletic Department Drug Policy (see section IV (D)) and the Code of Ethical Conduct (section IV (N)).

2. Renewal

A grant-in-aid is normally renewed for student-athletes with remaining eligibility and who have not graduated, except where (1) the grant-in-aid is awarded as non-renewable or renewable for only a specified period or for a specified amount, explicitly set out in a written document signed by the student-athlete at the time the initial grant is made, or (2) where a student-athlete violates a condition of the initial grant-in-aid set forth in Section IV(C)(1) or (3) violates a written team policy related to misconduct. In cases in which a coach contemplates non-renewal or a decrease in the amount or term of a grant-in-aid (unless there is a pre-existing written agreement signed by the student-athlete providing for the termination or modification), he or she must provide a clear, unambiguous, written warning to the student-athlete that non-renewal or modification is being contemplated, indicating the specific reasons for the action, and what the student-athlete must do to prevent the action. The written warning must be provided in advance of the contemplated decision to terminate or modify aid, so that there is sufficient opportunity for the student-athlete to meet the conditions necessary to avoid the proposed termination or modification. Copies of the written warning must be submitted to the Director of Athletics and the senior administrator in Athletics who is responsible for compliance at the same time it is given to the student-athlete.

If a final decision is made by the coach and Director of Athletics not to renew or to modify a scholarship after a warning to the student-athlete and an opportunity to take corrective action, the Department of Athletics shall prepare a statement explaining the reasons for the decision, in light of the specific warning previously given the student-athlete and the student-athlete's failure to take appropriate corrective action. This statement shall be provided to the student-athlete at the time he or she receives formal notice of non-renewal, no later than July 1 prior to the commencement of the period of the award. A copy of that letter shall also be sent to the Faculty Athletics Representative.

An athletics grant-in-aid may not be reduced or canceled during the period of the award (as that period is defined in the Student-Athlete Handbook) for any athletic reason, including a failure to meet athletic expectations. However, aid may be reduced or canceled during the period of the award if the student-athlete renders himself/herself ineligible for intercollegiate competition, fraudulently misrepresents any information on an application, letter of intent, or financial aid agreement, engages in misconduct warranting substantial disciplinary penalty, or voluntarily withdraws from a sport at any time. In such cases, aid will be prorated as of the date of the reduction or termination. Formal notice of reduction or cancellation during the period of the award will be provided within two weeks of the reduction or cancellation, and the award will not be renewed.

Athletic grants-in-aid may be increased at any time for any reason. Coaches recommending an increase in aid must submit a letter to the compliance office detailing the term of the increase (e.g., one semester, one academic year). If the increase is temporary (i.e., after the specified term, the aid will be renewed at the original amount), the coach must obtain a letter signed by the student-athlete and his/her parent or legal guardian in which they confirm that they understand the terms of the award.

3. Service Obligation of Non-Participants

A student-athlete who has been cut, suffered an incapacitating injury or illness such that his or her grant-in-aid is or in future years will be exempt from NCAA team limits, or is otherwise receiving a grant-in-aid and is not required to attend team practice or competition is required to fulfill his or her scholarship obligation through work with his or her team or with Duke Athletics. Specific service requirements shall be set by Athletics Department policy, which may be amended following consultation with the Chair of the Athletic Council and the Faculty Athletics Representative.

4. Appeals Process

Decisions to not renew, to reduce, or to cancel a grant-in-aid may be appealed. The student-athlete shall send a letter appealing the decision to the Faculty Athletics Representative within two weeks of receiving the notification of non-renewal, reduction, or cancellation. The Faculty Athletics Representative will convene an Appeals Committee, which shall be composed of the Dean and Vice Provost for Undergraduate Education or his or her designee, who shall chair the committee, the Director of Undergraduate Financial Aid, three faculty members or academic deans on the Athletic Council, and two student members of the Council. The procedures for hearing such appeals will be determined by the Dean and Vice Provost, Undergraduate Education. The student-athlete shall be informed of these procedures by the Dean and Vice Provost, Undergraduate Education, or his or her designee.

If the student-athlete elects to appeal the decision to not renew, to reduce, or to cancel his or her grant-in-aid, the detailed statement of the Department of Athletics giving reasons for non-renewal or the formal notice of non-renewal, reduction, or cancellation will provide the basis for the Appeals Committee hearing in cases in which such a statement is required under this policy. In all other cases, the Department of Athletics will produce such a statement within seven calendar days of the notification of an appeal by the Faculty Athletics Representative. In all cases, the student-athlete shall respond in writing to the Department of Athletics' statement. The Department of Athletics shall have the right to respond to any new issues raised by the appellant. The Appeals Committee may seek additional information based on the statement of particulars or formal notices presented by the Department of Athletics and on the appellant's response to it.

In considering any such appeals, the Committee deliberations will be governed by the understanding that: 1) the Department of Athletics is under no contractual

obligation to renew athletic grants-in-aid; 2) notwithstanding point 1, it is the normal practice of Duke University to renew the athletic grants-in-aid of student-athletes who comply with the conditions for initial awards set forth in IV(C)(1) absent a written agreement made prior to the student-athlete's matriculation at Duke, a renegotiation of such a written agreement subsequent to enrollment, or a violation of a written team policy relating to misconduct.

In reaching its decision, the concerns of the Appeals Committee will essentially be those of due process, both procedural and substantive. The Committee will seek to determine:

- a. whether the procedures followed in the case were adequate to provide notice to the student-athlete. Specifically, in a situation in which the coach or Department of Athletics was required to provide notice of a potential recommendation not to renew or to decrease aid and give an opportunity for improvement, were the demands of the coach or Department of Athletics sufficiently clear and well communicated that the student-athlete should have been expected to understand them and to appreciate the significance of a failure to comply with them?
- b. whether any demands were in substance reasonable or arbitrary and capricious. Specifically, were any demands that led to a decision to recommend aid not be renewed or be decreased reasonably related to the requisites of successful team performance or proper team conduct?

If, in the judgment of the Committee, these requirements of due process have been met, the decision of the Department of Athletics should be affirmed. If, in the judgment of the Committee, these standards of due process were not met, the Committee can mandate a renewal of the grant-in-aid under such conditions and for such a time period as it deems appropriate under the circumstances.

If a committee member resigns during the appeal process or has missed sufficient meetings that he or she or the Committee believes the member cannot fairly continue to participate, the Committee may continue its proceedings with a reduced number of members, provided at least one student member remains on the Committee. The Committee's decision is determined by a majority vote of its members. An evenly divided vote confirms the Department of Athletics' decision.

D. Student-Athlete Drug Testing Program (Revised July 2016)

The intent of these policies is to prevent and deter the use and abuse of prohibited substances by student-athletes through education, testing, and professional guidance. Systematic drug testing is appropriate and necessary to ensure the health, safety, and welfare of our student-athletes, to promote fair competition in intercollegiate athletics, to affirm compliance with applicable rules and regulations governing drug use, and to identify student-athletes who are improperly using drugs and assist them before they

harm themselves or others. Signed consent and notification forms shall be considered confirmation of the student-athlete's agreement to the terms and conditions contained in this policy and shall be a contractual obligation of the student-athlete.

1. **Prohibited use of banned substances.** Duke University's Drug Testing Program for student-athletes is separate and distinct from the NCAA Drug Testing Program. All student-athletes enrolled at the University are prohibited from using any illegal substances, any prescription medication without an authorized physician's approval, and any substance belonging to any of the classes of banned substances published by the NCAA, and updated from time to time. The classes of banned substances include, but are not limited to: stimulants, anabolic steroids, diuretics (masking agents), street drugs (*e.g.*, heroin, marijuana, cocaine), and peptide hormones and analogues (*e.g.*, human growth hormones and erythropoietin (EPO)). The University may test for any substance contained or not contained on the NCAA's list of banned substances, including unlisted compounds that are related to specific drugs listed by the NCAA (*i.e.*, substances that are included in a class of drugs by their pharmacological action and/or chemical structure). In addition, Duke University's institutional drug testing program may use different cut-off levels than the NCAA to determine a positive result. The student is responsible for everything that goes into his or her body; students use all drugs and nutritional or dietary supplements at their own risk. Before taking any drug or supplement, student-athletes should consult with their team trainer or physician.
2. **Unannounced drug testing.** All student-athletes identified on the NCAA official squad list and all intercollegiate teams will be subject to unannounced, random, reasonable suspicion, team, pre-season, post-season, and follow-up drug testing. All student-athletes will be required to execute a waiver consenting to such testing. Testing may occur at any time, on- or off campus, including the preseason, during the regular academic year, and during the summer session.
3. **Specimen collection procedures.** The specimen will be provided by the student-athlete under direct observation by an independent contractor approved by the National Center for Drug Free Sport, Inc. to ensure the integrity of the collection, processing, packaging, and evaluation of the specimen.
4. **Preliminary medical screening for use of banned substances.** As part of their regular medical examinations, all entering student-athletes who enroll in summer courses offered by the University prior to the start of the fall semester of their entering year shall be tested for use of substances belonging to any of the classes of banned substances published by the NCAA. Such medical screening shall take place during the summer. The purpose of this initial medical screening is to identify any student who needs counseling or other proper medical treatment prior to the start of the regular school year. A positive test during this medical screening shall not count as a positive test under paragraphs 5 and 6 of this drug-testing policy; nor will such a positive test be the sole basis for disciplinary action under any University policy.
5. **The consequences of a positive test for street drugs and other classes**

of banned substances, other than anabolic steroids, peptide hormones and analogues, and diuretics.

- a. A *first positive* test for a street drug, or other banned substance, other than anabolic steroids, peptide hormones and analogues, and diuretics, will be treated as a matter calling for evaluation, treatment, and counseling. The student-athlete will be subject to regular unannounced drug testing as part of his or her treatment and will be required to perform a reasonable number of community service hours. As part of a treatment plan, the student may be suspended from competition. A positive test which indicates that the student has used a banned substance during the period of evaluation, treatment, and counseling may be treated as a *second positive* test, if it is a street drug or other banned substance, other than an anabolic steroid, peptide hormone or analogues, or a diuretic. If the positive test is for an anabolic steroid, peptide hormone or analogues, or a diuretic, it will be treated in accordance with the provision of this policy dealing with a positive test for those substances.
- b. A *second positive* test for a street drug or other banned substance, other than an anabolic steroid, peptide hormone or analogues, or a diuretic, will result in a suspension of eligibility to compete in all intercollegiate competition for at least 25% of the total regular season's contests, to be carried over into the next regular season, if necessary.
- c. A *third positive* test for a street drug or other class of banned substances, other than anabolic steroids, peptide hormones and analogues, or diuretics, will result in the permanent termination of eligibility to compete in all intercollegiate competition at Duke University and the loss of all athletic financial aid.

6. The consequences of a positive test for anabolic steroids, peptide hormones and analogues, and diuretics. The use of anabolic steroids and peptide hormones and analogues is cheating and undermines the integrity of any athletic competition in which the offending student participates.

- a. A *first positive* test for an anabolic steroid, a peptide hormone or analogue, or a diuretic will result in a suspension of eligibility to compete in all intercollegiate competition for one calendar year.
- b. A *second positive* for an anabolic steroid, peptide hormone or analogue, or a diuretic will result in a permanent termination of eligibility to compete in all intercollegiate competition at Duke University and the loss of all athletic financial aid.

7. Self-reporting. A student may self-report his or her use of a banned substance, except where it is done to evade an unannounced drug test. When a student self-reports the use of a banned substance, he or she will be tested immediately and will be treated as having tested positive for the banned substance actually used.

8. **Additional sanctions.** In addition to the foregoing sanctions, the Director of Athletics or coach may treat any violation of this drug policy as student-athlete misconduct and impose appropriate additional sanctions, including the loss of athletic eligibility and athletic financial aid, provided however that the violation of the drug policy is accompanied by other misconduct or the student has engaged in prior misconduct during the current academic year for which he or she was disciplined or put on notice that termination of athletic eligibility and athletic financial aid was being contemplated in the absence of specific improvement.
9. **Notice of a violation of this policy.** When a student has been found guilty of using a banned substance (i.e., his or her “A” Sample tested positive, as provided in paragraph 9, below) in violation of paragraphs 5 and 6, above, the Director of Athletics, or his or her designee, shall notify the student in writing, which the student shall acknowledge in writing. In addition to notifying the student, the Director of Athletics or his or her designee also shall notify the student’s parents or guardians, his or her Head Coach, Head Team Physician, and Head Athletic Trainer. The student also may be required to notify his or her teammates of a positive test for a banned substance, except where the student has self-reported the use of the substance under this policy, in which case whether and when others will be notified of the self-reported use of the banned substance will be decided on a case-by-case basis. The Director of Athletics or his or her designee may report a violation of this policy to the Vice President for Student Affairs whenever the Director of Athletics determines it is in the best interest of the student or others to do so, provided, however, that the University shall not take any additional disciplinary action against the student based solely upon the Director of Athletics’ report of a violation of this policy. The Director of Athletics should consult with the Vice President for Student Affairs on how and under what circumstances a notice under this provision shall be provided.
10. **Labeling of urine samples.** All urine samples shall be divided into two parts, Sample A and Sample B. If the student’s A sample tests positive for a banned substance, it will be deemed conclusive proof that the student violated this policy, unless the student requests an appeal from the positive test, in the manner required by this policy.
11. **Consequences of failing to participate in or cooperate with the drug testing program.** All student-athletes are required to comply fully with the drug-testing program created by this policy.
 - a. A failure to execute the drug testing consent form; an un-excused absence from a drug test; or a refusal to provide a sample or the tampering with or manipulation of a sample will be treated as *a positive for an anabolic steroid*.
 - b. A failure to provide an adequate sample within a reasonable period of time may result in a suspension of eligibility until the student provides an appropriate sample under circumstances set by the University. If, based upon the written report of the sample collector, the failure to provide a urine sample occurs under circumstances that amount to a refusal to

provide the sample, the failure will be treated as *a positive for an anabolic steroid*. All urine samples actually provided by a student may be tested.

12. Appeal from a positive test.

- a. Any student who tests positive for the use of a banned substance may appeal to a drug testing appeal board. The request for an appeal must be made in writing to the Director of Athletics within five days of the written notice to the student that his A sample tested positive for a banned substance. If the student requests an appeal, his or her B sample will be tested to confirm the presence of a banned substance. In case of an appeal, the Director of Athletics, in consultation with the Chair of the Athletic Council and the Faculty Athletics Representative, will appoint a 3-member panel to hear the appeal. The members of the board may include an athletic department administrator, a head trainer or team physician, a faculty member from the Athletic Council, and other members from outside the Duke Athletic Department. The chair of the board shall be a person from outside the athletic department. No person associated with the student's team shall be appointed to the board.
- b. The student may appeal on any ground, including on the ground that he or she had "no fault" for the doping violation (i.e., that he or she did not know and could not reasonably have discovered or suspected that he or she was administered or took a banned substance) or that he or she had "no significant fault" (the student's fault or negligence in the totality of the circumstances was not significant in relationship to the doping violation). In the case of no fault, the student will be absolved of the violation; in the case of no significant fault, the board may reduce any suspension by up to 50% of what it otherwise would have been, except in the case of a first positive for a street drug or other class of banned substances, other than anabolic steroids, and peptide hormones and analogues. *However, it shall not be a basis for appeal solely that the student unwittingly used a product that contained a banned substance.*
- c. On appeal, the student will have the burden of establishing his or her defense by clear and convincing evidence.
- d. The sanctions authorized by this policy shall not be imposed (a) until the hearing board has decided any appeal by the student; (b) the student has withdrawn the appeal in writing; or (c) the time for the student to appeal has expired.

13. Confidentiality.

- a. Except as required by law, the University will treat confidentially all information relating to a student's alleged or confirmed use of a prohibited substance, aside from such disclosures to University personnel, parents, guardians, coaches, physicians, trainers and the student's teammates that are required or permitted to be made under this

policy.

- b. Employees of the University who breach this policy of confidentiality or who disclose information about unannounced random drug testing, such as the dates of such testing and the students or teams subject to testing on a particular date will be treated in the same manner as employees who breach the confidentiality of patients' medical records.

14. **Oversight Committee.**

- a. There shall be a committee to oversee the program established by this policy. The members of the committee shall be the Chair of the Athletic Council, the Faculty Athletic Representative, the Director of Athletics or his or her designee, the Vice President for Student Affairs or his or her designee, and the Director of Sports Medicine or his or her designee. The Chair of the Athletic Council shall chair the oversight committee. The Committee shall meet at least annually.
- b. The oversight committee will be responsible for determining the appropriate drug-screening test to use, the frequency of tests, and the selection process for unannounced testing. The Committee also will be responsible for evaluating the adequacy of all drug educational programs established for student-athletes. Finally, the Committee will be responsible for making an annual report to the President and Director of Athletics concerning implementation of this policy. The report shall include any recommendations for modification of the policy, drug educational programs, or sanctions for violating the policy.
- c. The Athletic Director or his or her designee may ask the oversight committee for an opinion on the application of this policy to individual cases. The Committee's interpretation shall be in writing and is final.

15. **Additional resource information.** Available at:
<http://www.drugfreesport.co/rec/> (password-ncaa1) and
www.ncaa.org/health-safety.

E. Student-Athlete Grievance Policy

From time to time, a student-athlete may feel that he or she is being mistreated or treated unfairly by his or her coach or by the Department of Athletics (including but not limited to a situation in which the Department of Athletics denies a request by the student for permission for another institution to contact the student about a possible transfer or denies a written request for a release under the NCAA's One-Time Transfer Exception). In addition to standing University committees available to all students, the University has established a grievance procedure to provide the student-athlete with an avenue to express his or her concerns. This process is not intended to interfere in issues of playing time, position, or other matters impinging upon the coach's expertise in the sport. It is intended to provide recourse for student-athletes enrolled at Duke University who feel that they are subject to serious mistreatment. Any concerns or grievance under this Section must be filed in a timely manner. This procedure will consist of up to three

steps.

1. The student may meet with the coach in order to communicate his or her concerns.
2. If the student feels that the meeting with the coach is unsatisfactory, he or she may request a meeting with the coach, and up to two senior athletics administrators. The Director of Athletics will be advised of the outcome of this meeting and consulted concerning any resolution that has been suggested or agreed upon.
3. If the second meeting does not resolve the issue, the student may then apply to the Faculty Athletics Representative for a hearing. If the Faculty Representative concludes that further discussion of the student's grievance is warranted, he or she will then convene a panel, which shall be composed of the Dean and Vice Provost, Undergraduate Education or his or her designee, who shall chair the committee, three faculty members or academic deans on the Athletic Council, and one student member of the Council. The procedures for hearing such grievances will be determined by the Dean and Vice Provost, Undergraduate Education. The student shall be informed of these procedures by the Dean and Vice Provost, Undergraduate Education. This panel will then reach a final determination concerning the resolution of the dispute.

Appeals regarding decisions not to renew or to decrease a scholarship are governed by Section (IV) (C) (4). Student-athletes who are no longer enrolled at Duke University may submit grievances to the Faculty Athletics Representative who will investigate and review the grievances independent of the above process for prospective purposes only.

F. Sport Clubs Policy

Sports Clubs are defined as groups of individuals that share common interests to compete against other clubs or organizations with similar interests. A maximum of six clubs may be designated as Sports Club II status. Criteria for this designation are in the Duke Sports Club Council Handbook. The purpose of a sport club is to provide students the opportunity to work as a team and compete at a non-varsity level. Existing clubs compete in some manner with other clubs or organizations. Sports clubs are student-initiated and student-run. Volunteer coaches receive no compensation; coaches for Sport Club II sports may receive compensation.

A clearly designated person should be responsible for administrative supervision of each sport club and should report to the Executive Director of Recreation and Physical Education. The administrative supervisor should be responsible for approving leaders and instructors for all sport clubs. Where possible a member of the Duke student body, faculty or staff should be selected as an advisor to the students in each sport club. Special care should be given to the selection of instructors and leaders, in order that persons with appropriate skills and experience are chosen. This is particularly important when the persons are employees or faculty of the University.

The administrative supervisor should make regular checks on the operation of all sport

club activities, especially those that present danger of serious injury. He/She should prepare an annual report that includes evaluation of instructors and leaders involved and an account of the injuries incurred. A definite timetable should be set for evaluation in this regard for all sports clubs. If, at any time, the administrative supervisor concludes that an activity fails to meet the standards suggested, because of excessive injuries, because instructors and leaders adequately skilled in injury prevention are unavailable, or for similar reasons, then the supervisor should recommend withdrawal of University sponsorship of the activity. Decision on such a withdrawal would be made by the Executive Director of Recreation and Physical Education, after considering the cases presented by the supervisor and by students participating in the activity. Appropriate equipment properly fitted and continuously inspected should be utilized.

The Office of the University Counsel should be directed to review and rewrite the waiver agreements for all club sports to release explicitly the University from liability for its own negligence in the context of sport club programs, as well as to assure that the waiver form meets the requirements in any state in which the activity is expected to take place. All participants in sport clubs must certify that they have purchased either the Duke Student Accident and Sickness insurance policy, or an equivalent health insurance policy.

It is understood that student members are the primary moving force in sport clubs and they should be primarily responsible for selection of the instructors, coaches and advisors, subject to approval by the administrative supervisor. The policy does not intend that an administrative supervisor replace student leadership.

Sport clubs, including Sport Club II sports, shall be administered in accordance with the most recent edition of the Duke Sports Club Council Handbook and the interpretation thereof of the Executive Director of Recreation and Physical Education.

G. Post-Season Play and Out-of-Season Competition

The Director of Athletics makes decisions regarding whether to accept invitations to post-season events, special holiday games, or other events outside the regular season schedule, provided that each team shall approve before any invitation is accepted; if acceptance of invitations would require students to miss classes or exams, approval by the Faculty Athletics Representative is required. Normally, such invitations should be accepted if:

1. there is not undue interference with academic programs,
2. the event is such that participation would not bring embarrassment or discredit to the University, and
3. the financial requirements will not be a burden on the University.

H. Competition during the Examination Period

Normally, competitive games will not be permitted during the time of examinations schedules. The Provost may make exceptions if the importance of the event and

alternative provisions for examinations justify such action.

Normally, teams will be given permission to compete in NCAA championship tournaments during exam periods. The Chair of the Athletics Council and the Faculty Athletics Representative should be notified of such competition as soon as the invitation has been extended, and the Department of Athletics shall provide a list of all student-athletes with specific conflicts to the Provost's office. It is the responsibility of each student-athlete to arrange for alternatives to scheduled exams. If necessary, the Provost's office will provide permission to the Deans for students to be excused from normally scheduled exams due to athletic competition.

J. Criteria for Intercollegiate Sports

Following the stated policy of the Board of Trustees, the Athletic Council has the responsibility for making recommendations on those sports which constitute the Duke University intercollegiate athletic program. In making its determinations, the Council is also bound by regulations laid down by the Atlantic Coast Conference and the NCAA. ACC rules stipulate that all member institutions must compete in football, men's and women's basketball, and either women's soccer or women's volleyball (see section IV-2 of the ACC Constitution). NCAA Division I membership requires a minimum of seven male/mixed and seven female sports or six male/mixed and eight female sports (see NCAA Handbook, sections 20.9.6(a) and 20.9.6(b)). Duke University currently supports twenty-six intercollegiate sports teams, thirteen for men (basketball, soccer, tennis, golf, swimming, fencing, cross country, indoor track, outdoor track, football, baseball, wrestling, and lacrosse) and thirteen for women (basketball, soccer, tennis, golf, swimming, fencing, cross country, indoor track, outdoor track, volleyball, field hockey, rowing, and lacrosse).

Intercollegiate sports presently authorized or to be authorized should meet the following requirements:

1. The sport should elicit a following and interest that will produce positive attitudes and general support from both the student body and alumni and friends of the University.
2. The sport should reflect not only long-standing Duke athletic traditions but also the unique character of Duke University and the special talents of its students.
3. The sport should provide opportunity for wide participation and/or for the recognition of exceptional individual achievement.
4. The sport should provide collateral institutional benefits for Duke University.
5. The sport must fall within the financial capabilities of Duke University to fund appropriately within those financial parameters set by the Board of Trustees.
6. The sport should have the capability of having a schedule developed that

is both convenient and competitive.

No new intercollegiate sport will be authorized except upon the elimination of an existing sport or by permission of the Board of Trustees. Any new sport added normally should provide the opportunity for intercollegiate competition with four or more ACC institutions, thus allowing the chance to compete for a conference championship. Furthermore, the Board Policy generally provides that Duke's goal in Athletics is "excellence, meaning credible academic performance of participants, dedication to sportsmanship and fair play, the development of individual and team skills, the exertion of best effort, the will to win, and general conduct that brings credit to the University" and that there will be "a competitive performance in each team sport and/or the opportunity realistically to compete for team or individual championships."

The Athletic Council will make a periodic review of the intercollegiate athletic program to insure adherence to these guidelines and will review petitions of eligibility of other sports requesting elevation to intercollegiate status.

K. Financial Policy and Procedure

Since FY 98/99, the authorized level of University support to the Department of Athletics has been predicated on the value of 146 full grants-in-aid. A full grant-in-aid includes the following:

1. Tuition - Trinity College Undergraduate Tuition
2. Room – Actual cost of housing, up to Air Conditioned, West Campus Double
3. Board – Actual cost of meal plan, up to Highest Meal Plan Offered
4. DSG Fee
5. Student Health Fee
6. Books and Supplies Allowance
7. Miscellaneous Other Required Fees

It is recognized that these costs will change; the intent is to define clearly the items upon which the value of grants-in-aid will be determined.

In FY 2003-04 the amount equal to the unused portion of the debt service on the Wilson Recreation Center (\$500K less the debt service) was returned to the subsidy calculation and will continue to increase back to the original \$500K as the debt is retired. Since FY 2011-12 the additional SIP funding support has remained at \$5.55M.

Beginning in FY 98/99, the Department of Athletics retains any favorable performance to their approved subsidy level.

If the Department of Athletics experiences unfavorable performance to its subsidy level,

withdrawals from available reserve funds would be required to cover the unfavorable performance.

L. Selection and Retention of Coaches

Coaches in the various sports are appointed by the Director of Athletics with the approval of the President.

In the selection of head coaches, the Director of Athletics will seek the assistance of administrators, faculty members, and other members of the Duke community who have useful expertise. The Director of Athletics may appoint a search committee at his or her discretion. In cases in which a formal search committee is used, the Director of Athletics may include the Chair of the Athletic Council and the Faculty Athletics Representative on the committee or in candidate interviews so as to be able to provide advice regarding the candidates to the Director of Athletics.

Head coaches will be reviewed by the Director of Athletics on a continuing basis. The Director of Athletics will then review his or her conclusions and recommendations with the President. The Director of Athletics may call on the Athletic Council for advice and will keep the Council informed.

Assistant coaches are appointed by the Director of Athletics upon the recommendation of the head coach in the sport in question. Assistant coaches serve at the pleasure of their head coach and the Director of Athletics.

Coaches are expected to represent the University with dignity and integrity, and are personally responsible for the scrupulous observance of all University, ACC, and NCAA regulations and standards.

M. Selection and Review of the Director of Athletics

The Director of Athletics is selected by the President and is confirmed by the Board of Trustees. The President shall consult with the FAR and members of the Athletic Council before making an appointment.

The President will review annually the performance of the Director of Athletics, and may seek the advice of the Faculty Athletics Representative and Athletic Council and others in conjunction with his review. The President may establish an external review committee if he or she so desires. The President will discuss with the Director the conclusions of all reviews.

N. Code of Ethical Conduct

The Department of Athletics' code of ethics is summarized in the annual contracts of coaches. The coaches indicate their awareness of these principles by acceptance of the contractual terms. The actual wording states that ". . . the University may terminate the employment for cause at anytime in the event of your gross neglect of duties, willful violation of University rules and regulations, conduct calculated to bring the University into disrepute or willful violation of rules or regulations of the NCAA or the Atlantic Coast Conference." In addition to the above, the specifics of the principles of ethical

conduct required by the NCAA are outlined in Bylaw 10 of the NCAA Manual (available at www.ncaa.org). It is the responsibility of the Director of Athletics to make certain that coaches are aware of the University's insistence upon their adherence to these guidelines.

O. External Representation of the University

The Faculty Athletics Representative represents the University in the Atlantic Coast Conference (ACC) and serves in all duties assigned to that representative by the ACC and the NCAA. The Faculty Athletics Representative, the Director of Athletics, and others specifically designated by the President represent the University at meetings of the National Collegiate Athletic Association (NCAA). The President exercises ultimate responsibility for University positions advanced before the ACC and the NCAA.

P. Funds

All funds arising from intercollegiate athletics shall continue to be handled entirely by the Treasurer of the University.

Q. Policy Governing Post-Eighth Semester Participation in Intercollegiate Athletics

1. Policy

Student-athletes may participate in intercollegiate competition as an undergraduate student after eight semesters at Duke, providing that several conditions are met:

- a. the student-athlete must have eligibility remaining in accordance with NCAA regulations,
- b. the student-athlete must be in good academic standing and be making satisfactory progress toward a degree, as defined by University regulations applicable to all students, and
- c. the student-athlete must request and receive approval to participate in a sport after his or her eighth semester from the team coach, from the Director of Athletics, and from his or her academic dean.

2. Rights and Responsibilities

- a. The student-athlete has the right to request permission to participate in intercollegiate competition after the eighth semester, providing all specified conditions of such participation be met and to be final judge as to whether such participation is in his or her best interest. However, no student-athlete has a necessary right to participate in a sport or to remain on athletic scholarship beyond the eighth semester.

- b. The team coach has the responsibility of determining whether a student-athlete's participation in his or her sport beyond the eighth semester would be in the interest of the team. The team coach has the right to approve or disapprove the student-athlete's request in accord with this determination.

R. Criteria for Varsity Awards

- 1. The following awards are authorized:
 - a. First Award: Jacket
 - b. Second/Third Award: Certificate
 - c. Senior Award: Ring
- 2. Criteria for awards:

Varsity awards for each individual sport shall be awarded on the basis of criteria determined by the Head Coach of that sport. The criteria shall be reviewed and approved by the Director of Athletics, a senior Athletics administrator, or the Faculty Athletics Representative.

Appendix I

Roles of the Faculty Athletics Representative and Chair of the Athletic Council at Duke University

With the creation of a separate position of the Chair of the Athletic Council (CAC) in 2007, the duties of the Faculty Athletics Representative (FAR) have changed. In this document the major responsibilities of the two positions are detailed. Both positions retain the need to interact broadly within and outside the Athletic Department, and to provide advice and information to various entities. The CAC largely reports to the faculty and the Academic Council (and ECAC); the FAR to the President. In the role as Chair of the Academic Subcommittee of the Council, the CAC also reports to the Provost. The Director of Athletics and others in the Department of Athletics should feel free to call on either or both representatives for advice from a faculty member's perspective, although the FAR retains a more formal relation with the Director of Athletics as Duke's representative to the ACC. Below is an informal summary of the responsibilities; however, as these positions evolve, these duties are expected to evolve.

In addition to these general roles, the duties of the positions include:

Chair of the Athletic Council (CAC)

The Athletic Council and its business is largely the responsibility of the CAC, however the FAR will chair the Compliance Oversight Committee, and be responsible for activities relating to that committee. General breakdown of duties are:

- Organizes meetings, sets agendas, and assists the President in appointment of members to the Athletic Council (CAC)
- Organizes and chairs meetings of the Academic Subcommittee (CAC)
- Prepares formal reports of council activities to the President (overall) and Provost (academic subcommittee). (CAC)
- Reports as necessary to ECAC and Academic Council. (CAC)
- Communicates with the Provost, academic deans and Dean of Admissions on regular basis to discuss issues of student-athlete admission, progress and integration into community. (primarily CAC, but also FAR)
- Participates in reports to the Board of Trustees as deemed necessary by the President (CAC & FAR).
- Works intensively on NCAA certification (equivalent to major accreditation effort; once every 10 years). (FAR & CAC)
- Receives "student-athlete misconduct reports" from the Compliance Office (FAR & CAC)
- Receives drug-testing summary reports (CAC & FAR)
- Conducts interviews of current athletes, faculty members and academic and athletic administrators to assess academic programs and student welfare (CAC & FAR)
- Conducts annual exit interviews of graduating student-athletes (FAR, CAC and Academic Subcommittee).
- Meets with the President and senior officers at times when major policy issues regarding athletics are on the table. (FAR & CAC as appropriate)
- Meets on a regular basis with the President for discussion of a variety of athletic issues. Available for advice at any time. (CAC and FAR)
- Serves on various ad hoc committees involving athletic issues (CAC and FAR as appropriate)

Formal on-campus duties of FAR

- A number of activities are appropriately shared between the CAC and FAR, and many of these are listed above.
- Is responsible for formal student-athlete appeals as defined in the Athletic Policy Manual (FAR)
- Participates in annual exit interviews of graduating student-athletes (FAR, CAC and Academic Subcommittee).
- Nominates student-athletes for ACC, NCAA, and other scholarships and honorary awards. (FAR)
- Manages the Athletic Policy Manual – reviews for necessary changes, provides reports on appropriate changes to the President and Board of Trustees (who are authorized to actually make the changes). (FAR)
- Formally oversees NCAA eligibility certification process (eligibility certification performed by the Registrar). (FAR)
- Organizes and chairs meetings of the Compliance Oversight Committee (FAR)
- Is involved in various appeals of ACC or NCAA regulations when necessary. (FAR)
- Audits violations and Duke's responses to violations. (FAR)

Representation of Duke at the ACC and other organizations (largely the FAR).

- Attends meetings of the conference. (FAR)
- Reviews all legislation, and makes recommendations for Duke's and the ACC's voting position. (FAR in consultation with various constituencies)
- Serves as an officer of the ACC following normal rotation. (FAR)
- Serves on misc. ACC committees. (FAR)
- On occasion represents Duke and/or the ACC at the NCAA and FARA conventions. (FAR)
- Participates in other national organizations regarding athletics. (FAR & CAC)
- May represent the conference on a major NCAA committee. (FAR)

Performs certain tasks assigned by the conference and NCAA (FAR)

- Administers NCAA recruitment regulation test to all coaches on an annual basis (FAR and CAC as necessary).
- Signs off on/certifies variety of paperwork (FAR).
- Administers NCAA sponsored surveys (FAR).

President's/faculty's eye/representative in athletics (Both CAC and FAR)

These are less formal responsibilities, but are activities that will enhance both the CAC and FAR to perform their job better. They are best defined as shared/joint responsibilities of these two positions.

- Is an active participant in the activities of the athletic department on behalf of the academic side of the University.
- Serves as an advisor to the Director of Athletics (formally FAR)
- Establishes and maintains strong relationships with senior athletic department staff and coaches of major teams.

- Is in frequent communication with directors of compliance and academic support.
- Serves on search committees and/or interviews candidates for head coaching positions.
- Maintains a sufficient presence so that individuals in the athletic department would feel comfortable contacting the individual for advice.
- Attend a variety of athletic events (sporting and social) to become a familiar, supportive presence to coaches, staff and to what extent possible student-athletes.
- On occasion travels with teams to gain closer relation with coaching staff and students, and also assess demands on student time/energy.
- Becomes familiar with individuals involved in athletic fundraising.
- Works as possible with the student-athlete advisory committee.
- Communicates regularly with academic support services to monitor athlete progress and available support services.