

My name is Kelly Griffitts and I was a three-time letter winner in Men's Cross Country and Men's Track and Field from 1984-89. More recently, I was President of the M Club Board of Directors and have donated to the Roy Griak fund monthly for approximately the last 20 years. I am writing to ask that you retain the request that the Board of Regents of the University of Minnesota establish a special commission in conjunction with the Minnesota Athletics Alliance to conduct a comprehensive review and evaluation of the role of intercollegiate athletics at the University of Minnesota. In the current climate, this special commission is needed like never before. The University of Minnesota is requesting from the House Higher Education Finance and Policy Committee \$400 million *in additional funding* through fiscal year 2025 while at the same time approving raises for Athletic Director Coyle (hereinafter "AD Coyle") and President Gable (hereinafter "Gable") who are also responsible for the elimination of three men's sports for the stated purpose of cost savings and Title XI compliance. It is fair and equitable that the legislature have some input and that the special commission be in place to provide oversight to ensure that the use of these public funds further higher education. Further, the goal of the special commission (to preserve sports opportunities for university students, explore financing models for nonrevenue sports, and establish evidence-based proposals to guide decisions affecting the future of athletics at the University Minnesota) is not being met under the current system. What concerns me most is that the elimination of these three sports was conducted with little public discussion and is merely step 1 in furtherance of the goal of maximizing profit in the Athletic Department at the expense of students and to the detriment of higher education.

When Athletic Director Coyle announced the elimination of three men's sports at the University of Minnesota in 2020 the stated purpose was cost savings due to a projected 75 million dollar budget shortfall. The purpose then quickly pivoted to Title IX discrepancies. The NCAA requires all Division 1 programs to make accessible their respective financial statements and participation numbers of men's and women's sports. I analyzed the cost savings of eliminating Track and Field to be about \$630,362.00, about half of the 1.2 million claimed by the AD Coyle<sup>1</sup>. The \$630,362.00 cost savings represented about .84% of the Athletic Department's projected shortfall while AD Coyle's inflated number represented about 1.6 % of the shortfall. Either number is a pittance of the overall budget of the University of Minnesota (\$130,456,454 in 2019) and would take decades to pay down the projected shortfall. This led me to conclude that the financial cost savings could not possibly be the reason AD Coyle determined to eliminate the three men's sports and that there were further sport reductions coming.

I then analyzed men's and women's participation rates at the University of Minnesota over the years from numbers provided on the University of Minnesota's website as required by the NCAA. According to that gender equity information and dating back to 2012, the University of Minnesota had reduced its total combined participants in Women's cross-country, indoor track and outdoor track from 263 participants in 2012 to 180 participants in 2019, an overall reduction

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<sup>1</sup> I can provide a copy of the letter I emailed to the University of Minnesota Board of Regents where I analyzed in depth the actual cost savings of eliminating Track and Field. The largest number contributing to the discrepancy between my cost saving figures and AD Coyle's is that AD Coyle included in his number debt service for the new track facility that was split evenly between the Men's and Women's program for reporting purposes. Because this debt service would then fall into the Women's Track and Field Team ledger and not be eliminated with the Men's Track and Field Team, it would not represent a savings to the Athletic Department.

of 83 athletes.<sup>2</sup> During this same period, the Men's cross-country, indoor track and outdoor track teams have been reduced by 23 participants. The reduction in Women's participation was mandated by the Athletic Department for the stated purpose of providing a more meaningful experience for the participating women athletes. This is a false narrative as there are many examples of unrecruited walk-ons that have meaningful athletic careers at the University of Minnesota, enhanced the recruited athlete's experience and enhanced the University of Minnesota's prestige. I was one of those athletes. It is also a perverse use of Title IX to reduce participation of Women athletes to excuse the elimination of Men's sports. Additionally, no athlete was claiming Title IX issues at the University of Minnesota. I concluded that that could not be the reason these three men's sports were eliminated as the obvious answer to any Title IX issue would be to increase women's participation (an easy and inexpensive path to Title IX compliance).

After the elimination of these three sports, the University of Minnesota offered 11 men's sports and 12 women sports (the NCAA requires Division 1 programs to offer 14 total sports split between men and women). I suspected that the reason these three sports were eliminated was a long-term goal of maximizing the revenue at the University of Minnesota by the elimination of other non-revenue sports offerings. This could be accomplished by keeping men's football, basketball and hockey while retaining three inexpensive non-revenue men's programs and eliminating the remainder while keeping 8 revenue/non-revenue women's sports. To investigate my hypothesis, I made several Freedom of Information Act ("FOIA") requests of the University of Minnesota's athletic department.

In a nutshell, I asked for: "All communications, including emails, letters, text messages, notes, reports, meeting minutes, telephone messages, transitory messages, student correspondence, sport files, reading files, memoranda, administrative policy records, relative to the University of Minnesota's Athletic Department's recommendation to the Board of Regents, contemplation of or the consideration of dropping, cutting or otherwise eliminating the University of Minnesota's Men's Track and Field Program from May 2016 to present date" to and from AD Coyle, the Board of Regents and University Athletic Department employees. In response I received many emails from Alumni to the Board of Regents complaining of the elimination of these sports. But, ***I did not receive one single communication or memorandum*** to or from AD Coyle and anyone within the Athletic Department or the Board of Regents on this subject. I do not believe today that it is possible for a decision of this magnitude to be made without a single written memorandum, communication, email or text within the athletic department or the Board of Regents. Although paper can be easily destroyed and no file preserved concerning the issue, it is common knowledge that once electronic information is created it is almost always retrievable. Upon receipt of the FOIA responses I contacted the University of Minnesota Data Center ("UMDC") that handles FOIA requests and was informed that the UMDC does not include in its responses to FOIA requests deleted emails. The UMDC conceded that deleted emails were recoverable but indicated I would have to file a lawsuit and obtain those deleted emails through the discovery process. I have to either believe there was nothing written regarding this decision

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<sup>2</sup> This figure includes some Women athletes being counted multiple times for participation in multiple sports, but, is compared to Men athletes also being counted multiple times in the same manner. Overall participation in all Women's Sports from 2012-2019 has only dropped 60 participants, meaning that other Women's sports at the University of Minnesota have gained 23 participants.

and thus, a completely inadequate decision process, or, the documents were destroyed and email communications deleted. I was unwilling to go to the time and expense of suing the University of Minnesota under the FOIA. My investigation ended there.

Because I believe there must have been written memorandum or communications on the elimination of these three sports, I can only conclude that the University of Minnesota Athletic Department actively deletes and destroys all written memorandum and communications regarding not only the elimination of these sports, but, all matters of import. If there was no written communication or memorandum concerning the elimination of these three sports, there certainly should have been more contemplation and collaboration between the Athletic Department employees and the Board of Regents. The University of Minnesota's Athletic Department is a public body that is part of a public institution that uses public funds whose decisions impact Minnesotans and their higher education opportunities and experiences. These decisions should be reviewed and records kept. I am a taxpayer. I have a right to review the information I requested. Additionally, if the legislature is going to provide funds to the University of Minnesota, it should be an active partner in these affairs. Not only does the University of Minnesota use public funds its decisions impact all of us and should not be made in secret.

Further, the student athletes at the University of Minnesota enhance the educational experience of all students. The impact that sports have on the overall student body of colleges and universities is well documented. Although the University of Minnesota should promote education above all else, college athletics plays a vital role in the educational experience for many, both student-athletes and non student-athletes alike. College athletics are an activity that supports the preparation of students to lead and serve in the community at large. College athletics promotes school spirit and unity, which allows students to take pride in and feel connected to the higher educational endeavor. In addition, students who participate as student-athletes glean critical life lessons they will apply as leaders in their professions and communities. Student-athletes learn valuable, practical skills such as sportsmanship, time management, verbal communication with adults and peers, and interaction and coordination in diverse groups. Athletic endeavors enrich and augment the education the athletes receive inside the classroom. College athletics also provide one route for historically underrepresented individuals to receive an education at an affordable cost. Therefore, it is important that the legislature work to protect and preserve the resources that ensure these opportunities for the underrepresented. And, students of color enhance the educational experience of white students because people of different backgrounds bring a different perspective to issues and problems. Through diverse classroom and social interactions, students have the opportunity to learn from people with different backgrounds and upbringings, leading to increased innovation and collaboration. Overall, the academic and social effects of increased racial diversity at the University of Minnesota are likely to result in students interacting with people of various backgrounds, which enables them to learn to communicate more effectively and often differently than they are previously accustomed.

To this end, the elimination of Track and Field removed the only racially diverse non-revenue sport at the University of Minnesota. A quick review of the University of Minnesota's website led me to believe that of the 39 current track and field student athletes 19 are athletes of color.

Not only are the athletes of color enhancing the educational and cultural experiences of their teammates (and vice versa), they are also participating in classrooms with the regular student body. These interactions are imperative to the educational experience of students at the University of Minnesota. In eliminating track and field while maintaining other sports (swimming, diving, baseball, wrestling, hockey, golf) you are taking away one of the few sports that offers admission opportunities to a large swath of racially diverse people, and protecting the sports that cater to a very specific racial and class demographic (overwhelmingly white and more affluent). My argument isn't that other non-revenue sports should be eliminated, but that you should not be eliminating track if diversity is a commitment at the University of Minnesota. Effectively the University of Minnesota is using the football and basketball players (sports with an overrepresentation of black athletes) to support the rest of the non-revenue sports (a predominately white demographic) and they are eliminating the most racially diverse non-revenue sport, track and field. If diversity is important to the University of Minnesota, it shouldn't eliminate the one sport where you have a higher representation of black athletes who are not revenue-generating. With the elimination of track and field, you are effectively subsidizing non-revenue sports that cater mostly to a white demographic via money-making sports, which have an overrepresentation of black athletes. Before any more funding should be received by the University of Minnesota it should submit to some partnering with the legislature to ensure public accountability that the use of public funds are used for the legitimate purpose of higher education and not to turn a profit at the Athletic Department.

Because there is absolutely no evidence that the University of Minnesota Athletic Department reviewed or discussed amongst themselves any issues with respect to the elimination of these three men's sports or the ramifications thereof, the legislature should retain the language requesting the Board of Regents of the University of Minnesota establish a special commission to conduct a review and evaluation of the role of intercollegiate athletics at the University of Minnesota. Because the University of Minnesota uses public funds, involving the legislature and providing appropriate legislative committees the research and findings of the special commission is and should be a prerequisite of receiving any public funding.