

REPORT

of

Trustee, Faculty and Student Committee

on

Allegations of Racial Discrimination in the Football Program

TABLE OF CONTENTS

| | <u>Page</u> |
|--|-------------|
| I. GENERAL SUMMARY. | 1 |
| II. THE COMMITTEE. | 4 |
| A. The Charge | 4 |
| B. Organization of the Committee. | 4 |
| C. Committee Members | 5 |
| D. Procedure. | 5 |
| III. GENERAL BACKGROUND | 7 |
| A. Racism in Athletics. | 7 |
| B. Black Athletes at Syracuse University. | 8 |
| IV. ALLEGATIONS, COMMENTARY AND FINDINGS | 12 |
| A. Allegations. | 12 |
| B. Commentary and Findings. | 14 |
| C. Summary Evaluation | 21 |
| V. THE BLACK COACH ISSUE AND THE BOYCOTT. | 22 |
| A. The Black Coach Issue. | 22 |
| B. The Boycott. | 25 |
| C. Commentary and Findings. | 29 |
| VI. RECOMMENDATIONS. | 32 |
| A. Athletic Policy Board. | 32 |
| B. The Athletic Department. | 33 |
| C. Code for Student Athletes. | 34 |

TABLE OF CONTENTS--Continued

| | <u>Page</u> |
|---|-------------|
| D. Grievance Procedure | 34 |
| E. Training Table | 35 |
| F. Future of Current Black Athletes | 36 |
| G. Conciliation, Education and Communication. | 36 |
| H. Recruitment. | 38 |
| I. Chancellor and Board of Trustees | 38 |
| VII. APPENDICES | 40 |
| A. Complaint filed with Human Rights Commission of Syracuse and Onondaga County | |
| B. Letter from Human Rights Commission of Syracuse and Onondaga County to Dr. Corbally | |
| C. Syracuse University Press Release of August 25, 1970 | |
| 1. Reply of Dr. Corbally to Human Rights Commission of Syracuse and Onondaga County | |
| 2. Proposed Request for Reinstatement | |
| 3. Code for Syracuse University Athletes | |
| D. Revised Request for Reinstatement | |
| E. Statement of Expectations of Black Athletes | |
| F. Statement of Commitment of Black Athletes | |
| G. Syracuse University Press Release--September 21, 1970 | |
| H. Syracuse University Press Release--September 22, 1970 | |
| I. Syracuse University Press Release--September 23, 1970 | |
| J. Complaint filed with New York State Division of Human Rights | |
| K. Rejection of Mythical Reinstatement | |

I. GENERAL SUMMARY

The Committee was created by the Chancellor in response to the extraordinary situation facing Syracuse University in September 1970. Problems arising within the Athletic Department had ramified widely through the university and the Syracuse community and reached a highly volatile stage. As these problems appeared to be deep-seated and complex and had serious direct implications for many individuals, a thorough investigation by a widely-representative committee was initiated.

The Committee worked assiduously for more than ten weeks, heard testimony from more than forty persons, analyzed a large body of evidence, and reached general agreement on every section of the full report.

The Committee concludes that racism in the Syracuse University Athletic Department is real, chronic, largely unintentional, and sustained and complicated unwittingly by many modes of behavior common in American athletics and long-standing at Syracuse University.

Investigation of a series of detailed allegations yielded few clear-cut conclusions about individual cases. Whether an episode could be considered overtly racist was usually a matter of individual or group perceptions. It was clear that there were forms of personal treatment which Black players found particularly offensive and numerous episodes which caused them to be deeply suspicious of racial discrimination. It was further very clear that, considering the great attention to similar kinds of concerns current within the university, the community, and the nation, the personnel of the Athletic Department showed an unwarranted insensitivity to attempts by Black players to question such treatment.

Such insensitivity was basic to the desire by Black players for at least one Black assistant coach. The failure to hire such a coach was interpreted as a willful dishonoring of a promise given by the university and eventually led the Black players to a boycott of spring practice in 1970. The Committee concludes that the Athletic Department failed to give this search for a Black coach a significance commensurate with the seriousness and legitimacy of the general issue.

The Committee neither condones nor condemns the boycott but does note the widespread contemporary use of similar tactics by large numbers of students on this and many other campuses, and concludes that the attempt to treat the boycott merely as a violation of coaching authority and training rules without recognition of the broader issues revealed a further lack of sensitivity and an unwarranted rigidity in response.

Although a highly respected Black coach was hired in the summer of 1970, tensions were not abated and the procedures for reinstatement of the Black players led to greater estrangement not only between most of the Black players and the coaching staff, but between most of the Black players and many of the White players, culminating in the volatile situation at the opening of the 1970 football season.

The Committee believes that such a climactic situation was neither foreseen nor desired by any of the persons involved but developed by social processes common to situations wherein communications and mutual respect are inadequate.

The Committee concludes that the creation of so serious a situation was closely related to the long-standing abdication by the Administrative Board on Athletics of Syracuse University of its constitutional "responsibility for overall policy and direction, control, and supervision of intercollegiate athletics," and to the long-standing authoritarian role of the head coach.

The issues raised by the Black players appear to have been regarded as unwarranted challenges to authority and traditional policy and never to have been seriously considered by the Board. The broader ramifications of the athletic program and problems arising therefrom upon the general academic purposes of the university appear to have been ignored completely.

Accordingly, the Committee recommends major changes affecting structure, policies, and personnel of the Athletic Board and the Athletic Department, including a revised code for athletics and grievance procedures commensurate with other university operations.

Finally, the Committee recommends special efforts to insure equity for and reconciliation among all those individuals directly affected by these events, and to insure that the entire athletic program in the future will display at all levels the kind of racial and ethnic diversity and tolerance which the university seeks in all of its operations.

II. THE COMMITTEE

A. The Charge

Dr. Corbally instructed the Committee "to review all the matters contained within the 'Statement of Expectations'" and "to look into all of the Black athletes' allegations, take testimony from athletes and coaches and examine any other witnesses and evidence it deems relevant." (See Appendix: Statement of Expectations, Press Releases dated September 21 and 22.)

B. Organization of the Committee

1. Confidentiality. At its first meeting on September 24, the Committee established guidelines for future meetings. The Committee decided that "in general, confidentiality will prevail--especially with regard to testimony." Reasons for this decision included:
 - a) The hope that witnesses would speak with greater frankness if their remarks were not subject to immediate or subsequent scrutiny in the public arena.
 - b) The possibility that inconsistencies or agreements in testimony might emerge honestly, without witnesses having studied the remarks of other witnesses.
2. Tape Recordings. The testimony of all witnesses was recorded on tape in the interest of accuracy and convenience. However, all witnesses were given the option of having the recorder off during all or some of their testimony. No one exercised this right. The recordings were transcribed and reproduced for each committee member.

3. Chairmanship. The Committee decided to operate on the basis of a rotating chairmanship in alphabetical order.

C. Committee Members

Professor Pauline A. Atherton, School of Library Science

Mr. William S. Clark, Trustee

Mr. Joseph DiPrisco, Student, College of Liberal Arts

Professor Donald E. Kibbey, Mathematics, College of Liberal Arts

Professor John L. Johnson, Assistant Provost for Minority Group Affairs

Professor Donald W. Meinig, Geography, College of Liberal Arts

Mr. Robert L. Silver, Graduate Student, College of Engineering

Mr. Alan G. Stamm, Student, School of Journalism

Professor Otey M. Scruggs, History, College of Liberal Arts

Bishop W. Ralph Ward, Trustee

Mr. Morris S. Weeden, Trustee

Professor Charles V. Willie, Sociology, College of Liberal Arts

Mr. Jim G. Carleton, Vice Chancellor for Student Affairs, ex officio

D. Procedure

The Committee met 28 times since September 24. Meetings, generally conducted on weeknights or Saturday afternoons, lasted four to five hours.

Hearings usually opened with witnesses being asked to recount what they could about the issues raised in the charges and allegations. Following opening statements by witnesses, individual committee members asked questions while the chairman served as moderator. Most sessions were open-ended and had no inflexible time limit.

Among the approximately 40 witnesses were:

1. Black and White football players
2. The football coaching staff
3. The athletic director
4. Varsity Club representatives
5. Representatives of the Administrative Board on Athletics
6. The Chancellor
7. Central Administrative officials (admission, financial aid, minority group affairs and student affairs)

The confidential tape recordings of each session were transcribed and referred to during the report-writing process. The testimony amounted to 609 typewritten pages. In addition, the Committee reviewed relevant documents (see Appendix).

Two-member subcommittees began writing the rough drafts of each section of this report. The entire document was reviewed and edited by the whole Committee.

III. GENERAL BACKGROUND

A. Racism in Athletics

Athletics has long been an integral and prominent part of American life, expressive of many of our social values, attitudes and behavior. It is to be expected, therefore, that major social movements which seek to work fundamental changes in these values, attitudes and behavior will have some direct impact upon the style and character of American athletics.

The Black Freedom movement in its earlier phases focused on racism in its most obvious, bigoted forms. This movement has clearly had some very important effects. In athletics, the "breaking open" of professional leagues and college teams to Black players provides well-known examples. Efforts continue to insure complete openness in all sports to participation regardless of race. Gradually and inevitably attention has more and more shifted to more subtle forms of racism--to those attitudes and behavior of daily life which express deep-rooted biases, misunderstandings, and fears of one group toward another.

Black Americans have increasingly insisted that a simple "letter-of-the-law" approach, important as it has been, is not enough, that beyond the minimum civil rights lie some basic human values which no society can afford to ignore. They have emphasized the need for sensitivity to and tolerance of different styles of life among the peoples of this nation. For example, the demand for Black Studies arises not only from a need to find solutions to economic and political problems facing Black people, but also it is grounded upon the belief in a Black life style as an authentic and valuable part of American life.

The freedom movements have had their most powerful expression on American campuses. Hence issues involving the treatment of Black athletes have produced strong responses within university communities as a whole, and similarly, athletes, White as well as Black, have been influenced by the widespread challenges to traditional institutional emphases and procedures.

The signs of such changes in mood and evidence of the problems likely to arise therefrom have been accumulating for some years. For example, information about racial problems in athletics has been published in several books, magazines and newspapers that have national circulation. These detail many specific grievances and, more important, clearly display some attitudes which challenged many traditional patterns of life in American sports. Without judging at this point the rightness of any of these grievances or merits of these challenges, it does seem important to emphasize at the outset of this report that the issues of racism in the conduct of athletics did not originate in the Syracuse University Athletic Department in 1970.

B. Black Athletes at Syracuse University

Black athletes have long been a part of the tradition of Syracuse University, especially in football. Their history as students and as men has been one of excellence and controversy. In excellence, they have come to dominate the performance of the various sports, and have made athletics an inter-collegiate activity toward which many young people have set their sights and goals. In controversy, they have brought to the awareness of whites the indignity of segregation, the difficulties of integration, and finally, the surge for equality of opportunity and liberation, using their

ability as a major force in the movement. While Blacks have participated in most of the individual sports as students of Syracuse University, their notoriety has mainly come about in football. Syracuse University is known across the country for its outstanding Black athletes.

There have been, in its history, many fine players. There was tailback Sivat Singh who played in the late 1930's, and quarterback Bernie Custis in the early 1950's. The present line of Syracuse Black football players extends from the time of Avatus Stone in the early 1950's. Stone's ability on the football field was overshadowed by the inability of University officials to comprehend the adjustment a Black man would have to make at Syracuse University during that period. The name of Jim Brown, All-American lacrosse player, and the beginning of the tradition of great number 44's is well known. He overcame difficulty and concern about his ability and became one of the greatest college running backs. This tradition extended to Ernie Davis, the Heisman Trophy winner, and to Floyd Little, the All-American. Each of these Black athletes were great running backs and helped to recruit the next number 44. It was through them that football excellence and Syracuse University became synonymous. The decade in which these men participated could well be noted as the period of the Black Super Star.

Blacks have participated in other sports and have distinguished themselves in a similar manner: either in excellence or in controversy. Excellence has been achieved most notably in basketball with Dave Bing, who also could be termed a Black Super Star. There has also been a National Gymnastic Champion, a National Wrestling Champion, and an outstanding Black swimmer. On the other hand, considerable feeling remains over the termination of the basketball careers of several players who protested playing segregated teams and over the situation in baseball, where there have been few Blacks on the team.

The age of the Syracuse Super Star in football certainly has become one of the notions which is connected with winning National and Eastern championships, but one about which little was known of the other Blacks on the team. This is where the present era begins.

A new era began when Black athletes appeared on teams in the deep South and in private schools in the North, and in the Big Ten in greater numbers. Where Syracuse was once known for opening the field and having had quarterbacks and backfield stars, it became one of the many schools which competed for excellent Black football players.

A major event underlying today's problems is an important but little noted change in the results of recruitment over the past few years. It is important to note that during the earlier period, the Super Star was either the only Black or one of not more than three or four participating in football. In 1967, six Black athletes were recruited at the same time and became members of the Freshmen Squad, thereby markedly increasing the total number of Blacks participating. The addition of three more Blacks the next year served to increase the total number of Blacks competing for a place on the team. There continued a period of steady recruitment but diminishing result until this year (1970) when no new Blacks became part of football at Syracuse. It appears that not only had the age of the Super Star ended, but also that the tradition of multi-racial football is threatened at Syracuse University.

History records controversy with the coming of increased numbers of Blacks, most of whom were not Super Stars. This period extends to the present and is a cause of the charge of the Committee.

For more than two years there have been documented problems variously described as poor morale, or team disunity. There were complaints filed with the Human Rights Commission as early as 1967 and presently there are complaints alleging discrimination filed with the City, State, and Federal Governments.

It appears, therefore, that the tradition once proud, has now become tarnished and that the University must take stock of its view of the Black athlete at Syracuse, its athletic program and changing values.

IV. ALLEGATIONS, COMMENTARY AND FINDINGS

A. Allegations

Allegations of discriminatory actions were made by the Black athletes in complaints submitted to the Human Rights Commission of Syracuse and Onondaga County and the State of New York Division of Human Rights respectively and in testimony received during the Committee's hearings. The charges in the complaints are categorized and summarized with verbatim quotes from sources listed:

1. Name Calling. "On different occasions Black players have been subjected to derogatory comments by players and coaches. This has been brought to the attention of the head coach and administration without anything being done." (Source: N.Y. Div. of Human Rights Complaint.)
2. Medical Treatment. "There was a question of poor medical treatment. . . but we feel that there is also differential treatment. . ." (Source: Testimony.)
3. Road Trips. Furthermore, "when the traveling squad list was posted, Black players would be shifted from their regular position to one with which they were unfamiliar on Thursday, the day the list is posted. Thus, they could not be on the travelling squad, which consists of the first two men for each position. On Monday after the road game, they would be shifted back to their original position. On information and belief this did not happen to White players." (Source: HRC/S & O.C. complaint, and N.Y. Div. of Human Rights Complaint.)

4. Training Table. "We are all playing football. We are all trying to contribute to this University yet the first forty-four players eat the best food..." (Source: Testimony.)
5. Team Positions. "Upon information and belief, the procedure is for an upper classman with the most experience to be given priority for an open position. Black players are placed in accordance with this policy. White freshman players, however, have moved into varsity slots without any experience as a varsity player." (Source: N.Y. Div. of Human Rights Complaint.)
6. Discipline. "The lack of disciplinary procedures caused the coaching staff, which we believe to be discriminatory and racist, to act arbitrarily on disciplinary issues. Black players have been given more severe penalties for less severe acts than Whites." (Source: N.Y. Div. of Human Rights Complaint.)
7. Academic Advisement and Assistance. "Academic advisement is geared toward supporting 'eligibility' rather than completion of education and the university degree."

"Academic liaison is token rather than a program designed to help the athlete with his individual academic problems."

"Individuals are discouraged from taking courses in certain majors, particularly the sciences."

"There are differential agreements concerning funds for summer school and for tutoring." (Source: Document entitled "Concerns of Black Athletes Pertaining to Academics.")
8. Recruiting. ". . . we all know that there are no Black freshmen that have been recruited for this season. . ."

"It was set forth by the Athletic Department that the present Black athletes at Syracuse University turned these athletes away by telling them unfavorable facts about the University." (Source: Testimony.)

9. Harassment. "[We were told] Be a football player first and Negro, Black or whatever, you want to be second. I do not feel that as Blacks we should be expected to ignore violations of our civil rights. Nor do I feel that we should be subjected to what we believe to be discriminatory practices that demean our pride and dignity." (Source: N.Y. Div. of Human Rights Complaint.)

B. Commentary and Findings

1. Name Calling. (The use by a coach of words or phrases considered degrading by the player addressed.)

The frequent use of terms which are widely considered to be "racial slurs" and derogatory ethnic names is verified in the testimony of Black athletes, White athletes, and coaches. Use of the term "boy" for Black athletes and reference to their hair as "fuzz" were deeply resented by Black athletes. Use of such terms as "Pollock" and "dirty Kraut" with reference to specific White players was also described, although it is not certain whether these were considered offensive by the persons addressed. The coaches insisted that such names and terms were never meant to be derogatory but were simply a common feature of the special and intense relationships inherent in athletic life.

The Committee concluded that the coaches were insensitive to the use of some of these names and terms, that they found it difficult to take such allegations seriously, and seemed to regard the issue as contrived criticism of perfectly "normal" patterns of behavior.

2. Medical Treatment. (This refers to professional medical service rendered injured players by the team physician.)

The Black players charged poor medical treatment, and they expressed the belief that the treatment on occasion was discriminatory. Concern about the quality of medical care was shared by some White players. The players' greatest concern was surgery, which both Black and White athletes believed had in the past not always been performed satisfactorily. However, the Committee received no direct evidence of poor medical treatment. The Committee thought it was in no position to undertake an investigation into medical affairs.

The Black athletes also expressed the belief that their injuries were sometimes not given the prompt attention that should have been given, with the result that they perceived the medical staff to be indifferent, if not hostile to them as Black people.

The issue appears to be that a system which seems geared to winning football games has become associated in the minds of some of the players with one uninterested in them as people.

3. Road Trips. (This refers to the selection of the traveling squad for games away from home.)

The allegation was made that Blacks were discriminated against in the selection of players for road trips. The only example cited was that of a player who was moved from one position to another shortly before a trip and was thus not included in the traveling squad. Further, it was stated that after the game he was moved back to his original position. The coaching staff denied that this was an example of discrimination for, in fact, this player was not going to make the trip at either position.

The Committee could not substantiate the allegation in this particular case. Further, it found the allegation to be untrue in general since evidence showed that most Blacks went on several trips and all Blacks went on at least one. This was not the case for all White players.

4. Training Table. (This phrase refers to the selection of 44 players who enjoy bigger meals with a higher protein content, while the rest of the players eat the same meals as other students.)

The Black athletes involved in the boycott asserted that all members of the football squad should receive the high protein diet if they are putting out 100 per cent effort for the team. The Athletic Department explains that the number of players at the Training Table is limited because of the cost factor.

The Committee found no evidence of discrimination based on race in the assignment of football players to the Training Table but heard testimony which indicated discrimination based on talent and ability.

5. Team Positions. (This refers to the shifting of players by the coaches from one position to another perhaps in connection with item 3.)

A few instances of changing a squad member's playing position were cited in the testimony and documents. No pattern of racial discrimination in such actions was established.

The Committee found no consistent or adequate effort on the part of the coaches to communicate to the player and his team-mates the reasons for changing a team member's playing position.

6. Discipline. (This refers to actions taken by coaches in response to infractions of rules by players.)

Instances of disciplinary action were reviewed in testimony given by the Black and White athletes as well as the coaches. The Committee heard testimony involving incidents in which violations of general university regulations were involved, incidents in which violations of known football norms were involved, and incidents in which actions were distasteful to athletic officials.

Evidence revealed that actions involving general university regulations were dealt with in the ordinary manner. It was not clear from the testimony if the disciplinary actions taken by athletic officials were inequitable. It was clear that there were no uniform review procedures.

7. Academic Advisement and Assistance. (Within the context of our problem this means advising by the coaches on courses or programs to be taken by the athletes.)

The Black athletes charged that eligibility was considered more important than an education, that there was not enough attention to academic problems of individuals, that athletes were discouraged from majoring in certain difficult areas, and that there were differential agreements concerning funds for summer school and for tutoring.

The coaches countered that the athletes were reminded that their education must come first, that a number of the players majored in areas generally considered to be difficult, that tutoring was available to all and that there was no differential treatment with respect to any of these items.

The Committee believes there was no intent to treat Black and White athletes differently in academic advisement. There would be a tendency for any athlete to discuss academic questions with fellow players or with the coaches, and for a Black player to prefer the advice of a Black coach. The Committee believes that the best advisors for all students on academic questions are the faculty, and that the Athletic Department should urge athletes to consult their faculty advisors on all academic questions. This seems the surest way to protect them from undue emphasis on eligibility.

8. Recruiting. (This means the practice of identifying high school seniors with athletic ability and good grades, and encouraging them to come to Syracuse. It also includes the awarding of scholarships and other benefits.)

The number of Black athletes enrolling at Syracuse University has diminished over the past several years to the point where this year there are no Blacks on the freshman football squad. The issue is whether this situation results from a lack of desire to recruit Blacks on the part of the Athletic Department and coaches, a lack of efficiency in recruiting them, a lack of interest in Syracuse by potential Black athletes, or whether students dissatisfied with conditions at Syracuse interfered with the recruiting program.

The evidence indicates that attempts to recruit Black athletes were made for the current year. The reasons why these attempts were unsuccessful are far from clear. The normal process of involving Black players in the recruiting of Blacks was not followed with respect to the group who later boycotted practice. Other athletes were involved, as were coaches.

Doubtless the tensions which existed during 1969-70 did hamper attempts to recruit in a normal manner to the extent that prospective athletes became aware of problems. Further, it is difficult to believe that a coaching staff faced with serious team dissension stemming from racial problems would vigorously recruit prospects who might join the dissident group. Conclusive evidence on these points is very meager.

- a) Laundry Money. In the past some players received an allowance termed, "Laundry Money." Some did not. There was no evidence to substantiate the charge that racial considerations governed the distribution of this allowance. Presently all players participate.
 - b) Summer Jobs. No evidence supported the allegation that racial considerations played an important part in determining which athletes obtained summer employment.
9. Harassment. (This refers to the tendency of coaches to impose their personal values and standards of conduct and appearance on players.)

The Black athletes charged that the coaching staff, finding the athletes' personal and political beliefs repugnant and a threat to their authority, had subjected them to intimidation and harassment ranging from subtle questioning to dismissal from the football team. The players cited instances where in the recruitment process, for example, they were quizzed about their political convictions. One was asked whether he was a militant and how involved was he in the Black movement. Another indicated that after becoming involved in campus politics he was told that "You should be a football player first, and then Black or Negro or whatever you want to be second."

And when another Black player became outspoken in defense of his fellow Black athletes, they aver, he was forced from the squad for medical reasons. Following an incident involving refusal of some Black students to stand for the Star Spangled Banner at a basketball game, the football coach called some of the Black players into his office, they stated, and told them he did not want anyone on his team who would not stand for the National Anthem. The Black players, furthermore, indicated that derogatory reference to their hair as "fur and fuzz" had been made, and that they had been advised to have their hair cut, and in cases where mustaches were worn, to have them removed, it being intimated that otherwise they might not play.

The coaching staff, on the other hand, denied the truth of some of the charges. While admitting that they had asked some Black students about their involvement in militant organizations, the coaches said that they had posed similar questions to Whites. However, the head coach expressed concern about standing for the Star Spangled Banner. He indicated that in his conversation with the Black athletes he "lamented the fact that they wouldn't stand up." He stated that he would not recruit anyone who would not stand up, and that he had asked at least one prospective Black recruit whether or not he would stand up. He also expressed his personal dislike of mustaches and beards, and though he indicated that the staff had been successful in dissuading players from wearing mustaches, he asserted that no player had ever been prevented from playing on the team "because of any kind of hair-do."

The Committee concludes from the foregoing that the players increasingly did not conform to the coaches' conception of the student-athlete. Insensitive to changing student concerns, the coaches regarded as troublemakers those students whose personal values and political beliefs seem to conflict with their own.

The Committee finds substance in the charge of harassment.

C. Summary Evaluation

Each item listed above was discussed with most of the people who appeared before the Committee, some of them in much detail. Incidents relating to each of the allegations did occur. In many cases it was difficult to establish whether the complaint referred to an action toward all players or a discriminatory action directed at Black players. Generally, instances cited by Black players were also experienced by White players, but they were perceived, interpreted, and reacted to differently by the two groups. Some examination of statistical data suggests there was differential treatment in favor of the better players, Black or White. Differential treatment, if any, was explained by the coaches as action directed toward developing a better team. It was interpreted by the Black players as racial discrimination. The coaches stated that no discrimination was intended.

V. THE BLACK COACH ISSUE AND THE BOYCOTT

A. The Black Coach Issue.

It is the opinion of the Committee that the disappointment and frustration of the Black players over the Black coach issue were the primary substantive causes of the boycott of spring practice in 1970, and allegations of racial discrimination were contributing factors. Thus, findings pertaining to the Black coach issue and the boycott are presented in detail.

Some Black athletes over the years had attributed several unpleasant experiences in the athletic program to racial discrimination. The Black athletes wanted a Black coach to "monitor the situation." They believed that a Black assistant coach would understand and effectively interpret their concerns to the entire coaching staff. Coach Schwartzwalder reported that more than two years ago he attempted to appoint a Black person as assistant coach. The attempt was not successful because the candidate was offered a comparable position at a much higher salary than Syracuse was prepared to offer.

Two coaching positions were open when representatives of the Black football players approached the Athletic Department and Coach Schwartzwalder in the spring of 1969 with a formal request that he appoint a Black coach by the fall of 1969. The meeting ended with the representatives of the Black athletes believing that a Black coach would be appointed. Coach Schwartzwalder says that he did not promise to appoint a Black coach by the fall of 1969. However, he admits that he promised to search for one.

Meanwhile, one of the coaching positions was filled by a White assistant coach. At least two Black candidates were approached for the position that remained open. One was the same Black coach who had been contacted earlier. He already was employed by another college in the East and was not interested in moving. The second Black candidate was not qualified in the opinion of the head coach. Thus, negotiations with him were suspended after the initial contact. The second coaching position eventually was filled by a White assistant coach, too. The Black athletes felt that the Athletic Department had reneged on the promise to appoint a Black coach. Clearly, there was misunderstanding between the head coach and the Black football players concerning whether a Black assistant coach was promised. The Black athletes were unhappy over the development of events which left them without a Black assistant coach as the 1969 fall season opened. The Committee believes that part of the coach's reluctance to move with haste in searching for a Black assistant was due not to racial prejudice, but to his resentment over attempts by others to infringe upon his prerogative to select his own assistants, an authority accorded him by contract.

The Athletic Department explained that coaches are assigned specific geographic areas for recruiting purposes and that familiarity with a certain region is a very important consideration in the appointment of an assistant coach. Presumably, the two new assistant coaches appointed had special knowledge of the areas left uncovered by the two resignations mentioned above.

During the fall and winter of 1969-70, there were separate discussions involving at different times Chancellor John Corbally, Vice Chancellor Jim Carleton, Assistant Provost John Johnson, Athletic Director James

Decker, and Coach Floyd Schwartzwalder on the question of hiring a Black coach. The Administrative Board on Athletics also discussed such an appointment and recommended the establishment of a file of names of potential Black candidates and that consideration be given to hiring a Black coach when another opening became available.

A recommendation that a Black assistant be obtained for spring practice in 1970 was accepted by the Administrative Board on Athletics as an interim solution to the Black coach issue. There were indications that the Black athletes would accept this. Two professional football players who are Syracuse University Alumni were contacted. One could not come, and the other, Floyd Little, stated that he would be in Syracuse on business for a few days in the spring and would be pleased to help with spring practice.

The Black athletes were disappointed that a full-time Black assistant coach had not been appointed by spring of 1970. An advantage of the interim arrangement according to the Athletic Department, was that a Black Alumnus of the Syracuse University football team knew the football system of Coach Schwartzwalder and could be of maximum benefit during the short period of spring practice. However, Floyd Little had not agreed to serve as a member of the coaching staff during the entire period. The Black football players had not been informed of the limited time that he would be available.

Shortly after the beginning of spring practice, Floyd Little was interviewed by a reporter of the Daily Orange. His published remarks which were critical of the attitudes exhibited by some of the Black athletes were resented by them, and their discovery that he was scheduled to remain in Syracuse only a few days caused the Black athletes to declare that he

could not fulfill their need for a Black assistant football coach. They accused the Athletic Department of duplicity and willfully presenting Floyd Little as an interim solution to the Black coach issue without indicating to them the limited time he would be available to work with the team.

The Black football players felt betrayed. They explained that they had remained loyal to the team and had continued to participate through the 1969 fall season, even though the promise which they thought was made to have a Black assistant coach was not kept. Then in the spring of 1970, they interpreted the Floyd Little visit, which the Athletic Department admitted was only an interim solution, as a further attempt to evade the issue. Since the Athletic Department had repeatedly failed to honor their request, the Black football players believed that the boycott was the only way they could impress upon the University the seriousness of its failure to hire a Black assistant football coach.

B. The Boycott

After publication of the interview with Floyd Little, April 14, 1970, nine of the ten Black athletes on the football squad stayed away from spring practice and let it be known that they would not return until there was a Black assistant coach.

Meanwhile, the Black athletes prepared a list of concerns and presented them to Chancellor Corbally. By the time these had been drawn up and presented, the Black athletes had missed several days of spring practice.

During the boycott, several meetings were held between the Chancellor and the head coach, the Chancellor and the Black athletes, and the Chancellor and White football team members. The Chancellor instructed the Athletic Department to hire a Black assistant coach and to make the appointment before September of 1970. Despite the promise from the Chancellor that a Black coach would be hired, the Black athletes would not return to the team for the remaining period of spring practice because, as they put it, such a promise had been made and broken before. They were determined to boycott regular football practice until a Black coach was physically present.

In the spring the team voted on the return of the Black athletes. The White players unanimously favored accepting one of the ten Black athletes who never had really boycotted and a majority favored accepting a second Black athlete who missed some, but not all of spring practice. The other eight Blacks were rejected.

After spring practice, Coach Schwartzwalder was asked to establish communication with the Black players. The Coach sent letters, during the summer, to some, but not all, of the Black athletes stating, "If you have any interest in returning to football, it is essential you see me personally before August 1. Your status will be discussed at that time." Testimony from the Black players indicates that these meetings amounted to each player finding out he was not to be invited back because of his poor attitude.

This suspension from the team was particularly disturbing to the Blacks since the legitimacy of their request had been confirmed by the Chancellor's directive to hire a Black coach. The use of the team vote was especially disturbing to the Blacks as a group because they interpreted this as a way of denying the legitimacy of the basic issue which precipitated the boycott.

It placed them in the same position as individual players who had breached rules of team discipline.

Chancellor Corbally, Coach Schwartzwalder, Athletic Director Decker, and Vice Chancellor Carleton held several meetings during the summer of 1970, and agreed to accept the eight rejected Blacks as team members for the fall 1970 season if they signed a 6-point statement pledging loyalty to the coaching staff, but acknowledging that the earlier suspension was justified and a logical consequence of missing practice for a protracted period. The statement was drawn up by University officials as a way of fulfilling the conciliation recommendations of the Human Rights Commission of Syracuse and Onondaga County. The Black players described the statement as demeaning, said that it gave no guarantee that the problems they had encountered in the past would not appear again and, therefore, refused to sign this statement which the White athletes had signed.

The Human Rights Commission was attempting to conciliate the problem because some Black athletes filed charges of discrimination with this local governmental unit during the summer of 1970, after the coach had refused to invite them to return to the team. The Administration of Syracuse University rejected the allegations of discrimination in the University's athletic program but agreed to follow through with the conciliation recommendations of the Human Rights Commission. The Central Administration of the University, which had become the chief negotiator with the Black athletes during the summer of 1970, agreed to a change in wording of a portion of the reinstatement agreement, but not the preamble which included phrases justifying the suspension of the Black athletes. The eight Black players subsequently rejected the agreement with the preamble.

Meanwhile a Black assistant coach, Carlmon Jones, had joined the staff late in the summer. This coach was to be selected by Coach Schwartzwalder and would be appointed subject to the approval of the Administration and a representative of the Black players. Although Mr. Jones was recommended for appointment in August 1970, the procedures agreed upon were not followed in every detail. He was not interviewed while on campus by representatives of the Black players, even though his visit was reported in the public press, and there arose the extraordinary expedient of sending representatives of the Black players to Florida to interview Mr. Jones. Mr. Jones is now coaching at Syracuse University. Some of the Black players have expressed concern that his major coaching assignment has been with the freshman football squad. Coach Schwartzwalder defends this assignment as a way of introducing Mr. Jones to a system of football that is different from one to which he has been accustomed.

The Committee received no evidence that Coach Jones is unhappy with the assignment. Coach Schwartzwalder also indicated that Coach Jones had been designated as the member of the coaching staff to work with the varsity Black athletes to get them in condition if they had accepted reinstatement.

After the opening of school, the fall of 1970, spokesmen for the eight Black athletes delivered their own 2-part document to the Chancellor's office. The document included a Statement of Expectations and a Statement of Commitment. These documents were submitted, the Black athletes said, as fulfilment of the conciliation recommendations of the Human Rights Commission.

The team opened the season in Houston. The suspension of the Black athletes remained in effect during the first game of the season. Before the opening game at home one week later, the Administration again asked the

coach to consider reinstatement of the eight Black athletes on the basis of their Statement of Commitment and agreements arrived at in long conference with the New York State Commissioner for Human Rights. Again, the question of reinstatement was put to the team. The team voted favorably, but a number of its members made clear in public statements to news media that the vote was made to take back the Black athletes so that the team could play the Kansas game. It appeared that the Black athletes were not welcome by some of their White team-mates. The eight Blacks, realizing the antagonism of their former team-mates and fearing some kind of physical reprisal, decided to reject reinstatement which they described as mythical and not real. The 1970 football season finished without the participation of the eight Black athletes.

C. Commentary and Findings

What then are the causes of the difficulty? How is it that a university with a successful record of developing many famous Black athletes is now confronted with a very serious problem concerning Black athletes? Part of the answer lies in the traditionally authoritarian organization of intercollegiate football teams. The head coach is the boss. He and his assistants determine the style of play, the qualifications of players for the various positions, and the training and practice rules. While players may express opinions and may be consulted, the final authority is the coaching staff. Insubordination, which includes missing practice without due cause, may result in suspension with no appeal except to the coaching staff. Some players accept this, some resent but accept it, and some rebel.

Part of the answer lies in the belief of the players that they had no other way of achieving redress of their grievances except by boycott.

Much of the answer lies in the overt rejection by Black society of manifestations of racism, and the failure of the coaching staff to recognize this as a primary cause of growing dissatisfaction among the Black players. Decisions and actions of the coaches relative to the allegations were interpreted by the players as racism, and the attitude of the players was regarded by the coaches as only group dissension or insubordination.

The Committee believes that problems in the athletic program which contributed to the spring boycott by some Black members of the football team have a larger significance than the playing of football and should not be limited or reduced to an issue of merely missing practice. As the problems festered and the issues remained unresolved, they grew larger and eventually beyond the control of the Black and White athletes as well as the coaching staff.

Because the purpose of the boycott, as reported by the Black athletes, was to call attention in a dramatic way to problems in the athletic program related to, but transcending race, the Committee believes that great effort should be exerted to minimize further suffering and hardship on the part of these athletes.

The Committee finds that the legitimate request, which was made as early as the spring of 1969, that a Black assistant football coach should be hired was ignored; that the Athletic Department was grossly insensitive to the legitimacy and meaning of this request; that the signs of increasing estrangement between the Black football players and the White coaching staff were ignored; and that an effective corrective measure--the hiring of a Black assistant football coach--was not taken until after the Black athletes

boycotted spring practice in 1970. The definition of the spring boycott of the Black athletes merely as an issue of violating coaching authority, and the penalizing of these athletes without taking into consideration the broader context of their protest was an act of institutional racism unworthy of a great university.

The Committee believes that a coaching staff which is racially and ethnically diversified and inclusive is a beneficial educational experience for student athletes. The Committee further believes that many of the charges and allegations of racial discrimination in the athletic program at Syracuse University were ignored because the Black athletes had no advocate who was capable of influencing decisions of the coaching staff and the Athletic Department in their behalf.

The Committee, therefore, believes that the Black athletes should not be penalized for focusing attention on the need for the University to diversify the racial composition of its football coaching staff when the University should have acted favorably upon the request for the hiring of a Black coach earlier, and without being prompted.

VI. RECOMMENDATIONS

A. Athletic Policy Board

The Committee finds that the Administrative Board on Athletics has not fulfilled its charge of responsibility for athletic policy. And through an evolutionary process under previous administrations it has abdicated its responsibility for control and supervision of athletics. In addition the Committee finds that student representation on the Board is inadequate. Therefore, the Committee recommends that:

1. The present Administrative Board on Athletics should be dissolved as soon as possible and replaced by an Athletic Policy Board (APB). The APB should be given the following permanent charge: The APB shall have the responsibility for overall policy and direction, control and supervision of intercollegiate and intramural athletics at Syracuse University subject to the review of the Chancellor and through him the Board of Trustees of Syracuse University.
2. The membership of the APB should be 3 faculty, 4 students (graduate and undergraduate), 4 alumni, and 2 administrators chosen by whatever means the respective groups shall elect. Among the students there should be at least one currently participating athlete. Among the four alumni there should be a member of the Varsity Club and at least one trustee. And of the two administrators one should be the Director of Athletics and the other a designee of the Chancellor. When appointments are in order, the secretary of the Board shall notify the President of the Alumni Association, the President of the Student Association,

the President of the Graduate Student Organization, the Chairman of the Agenda Committee of the University Senate and the Chancellor.

3. No member of the APB (except the administrators) should serve for more than 2 consecutive years and the terms of office of the various members should be staggered so that succeeding years will find carry-over of some of the members.
4. At the beginning of each academic year the APB will elect from among its members a chairman who will serve until his successor is elected.

B. The Athletic Department

The Committee finds that the lines of authority within the Athletic Department were poorly structured. Further, it finds a totally unsatisfactory response on the part of the Athletic Director to the year-long crisis. Therefore the Committee recommends that:

1. The Office of the Chancellor review the functions of the Athletic Director with the purpose of strengthening the authority of the Office of the Athletic Director.
2. The Athletic Director should be appointed by the Administration with the approval of the APB, bearing in mind the importance of matching the skills of this officer to the new authority of the office he would fill.
3. As the first level of real authority over the coaching staff, the Athletic Director shall have the responsibility for recruiting and appointing the staff of the Department of Athletics, with the advice and consent of the APB.
4. Appointment of Blacks to the staff of the Department of Athletics at all levels should be consistent with the policy of diversification of such appointments in the University at large.

C. Code for Student Athletes

We recommend that the present "Code for Syracuse Athletes" be replaced by a new code developed by the APB for all associated with the athletic program at Syracuse University. This code shall be regularly promulgated by the Director of Athletics to all concerned. This code should emphasize unequivocally the following:

1. that the athletic program is an integral and subsidiary part of the overall educational program of Syracuse University and that it must be conducted at all times by all persons involved in conformity with the objectives of that larger program;
2. that athletes enjoy the same basic personal rights as all other students at Syracuse University, and thus such things as personal appearance, social activities and political expression are matters of individual choice insofar as these do not interfere with the rights of others;
3. that the authority of the coaching staff on the playing field and certain rules regarding training and practice are essential to an effective athletic program; that such authority and rules must ever be exercised and applied with the aim of generating freely from the individual participants the kinds of discipline, dedication and cooperation which must be considered the principle benefits of competitive sport.

D. Grievance Procedure

The Committee finds that the captains, coaches and Athletic Director have not always displayed attitudes which recognize that legitimate grievances may exist and be raised by any player on the squad. Players raising grievances sometimes have been made to feel that they are causing trouble for which they will be penalized.

In an effort to stimulate dialog and conciliation, players should discuss their grievances with those individuals who are most intimately involved. The Committee, therefore, recommends the following grievance procedure for implementation by the APB:

1. The first step should be for the player to talk with one of the team captains.
2. If a further channel is required, the player, who may be accompanied by the captain, should meet with the assistant coach who is generally concerned with the player's specific area or position.
3. The next step in this chain is the head coach, who should be approached by the player, who may be accompanied by the captain and/or the assistant coach.
4. If the player still feels dissatisfied, he may bring his grievance to the Athletic Director. The Athletic Director shall keep a complete record of the grievance and discussion once it reaches that level. He shall investigate and attempt to conciliate the problem.
5. If the player still feels dissatisfied, he may submit the grievance in writing to the Athletic Policy Board. At this stage, the player may also select one individual to help him represent himself before the Board. The Policy Board retains final decision-making power to resolve grievances.

E. Training Table

We believe that the practice of maintaining a special training table with an augmented diet for some but not all football players creates a caste-like system among members of the team, imposes a form of discrimination which can be easily misused or misinterpreted, and is a kind of

inequity (nutrition) which should not be sustained. We therefore recommend that all members of the football squad be provided with the same menu.

F. Future of Current Black Athletes

It is recommended that Syracuse University approach Penn State, Pittsburgh and West Virginia with a request for permission to red shirt the Black athletes who did not play football in the fall of 1970. By this step, these players would be given one year of eligibility providing it is feasible from an academic point of view and each individual involved desires this additional year.

In recommending this approach, the Committee affirms its strong aversion to red shirting as a means of securing an athletic advantage for the University. Rather we feel these players were victims of circumstances which, to a degree, they created but which went well beyond their control. They did have legitimate grievances.

We believe that by resolving these problems in this way at Syracuse we may well provide a model of reconciliation for others.

G. Conciliation, Education and Communication

In investigating the events surrounding the Black coach issue during the academic year, 1969-70, The Spring boycott, and the August-September period of negotiations, certain facts are evident.

1. Effective communication among the coaches, Black and White players does not exist.
2. Reconciliation efforts were inept and ineffective.
3. The coaches' awareness of the desire of youth today to be involved in the decisions which govern their life, education and future careers is negligible.

In order to show good faith to the suspended Black athletes and to the University, to begin developing dialog, and to demonstrate that the first priority of the Athletic Program is the education of student athletes, the Committee recommends that the Athletic Director, with the full and active cooperation and assistance of the coaches, and in consultation with present and past Black and White athletes, develop an educative program which will facilitate communication among team members, between coaches and team, and between the Head Coach and assistant coaches. In our opinion, a self-generated affirmative action plan, would be the best preparation for the Athletic Department if and when the next crisis presents itself. It is possible that this group will want to use consultants who can assist them in this effort. Experts in conflict resolution, communication facilitation/psychology come to mind.

Such a program should involve a series of activities and discussions commencing immediately. It should take precedence over all activities in the athletic program. The objectives of this program are to permit coaches to:

1. Confront the general but real issues of race, youth and contemporary culture.
2. Address the problems of future recruitment of Black athletes.
3. Gain an understanding of the educative purpose and functions of athletics.
4. Clarify the relationship of the assistant coaches to the rest of the team and to the head coach.
5. Study the new grievance procedures.

This plan and program should be reviewed and evaluated by the newly formed Athletic Policy Board, no later than March 1, 1971. If acceptable the educative program should be implemented as quickly as possible.

H. Recruitment

The Committee has been informed that the Syracuse University football squad has recruited a significant number of Black athletes continuously since the end of World War II but that the proportion of Black prospects who have accepted the University's invitation to matriculate at Syracuse has been decreasing each year since 1967 and that no Black athletes are on the freshman football squad the fall of 1970.

We are interested in diversifying the student body on this campus and the membership of our athletic teams for sound educational reasons.

The Committee feels strongly that, with the increased attempt on the part of most universities to recruit Black athletes, our future success in recruiting is more dependent on the climate that we establish for sensitivity, understanding, total acceptance, and equality of opportunity than on a crash program of salesmanship. Our judgment is that such a climate as mentioned can be of tremendous assistance in recruiting.

To accomplish this goal, we recommend that the Athletic Department formulate a specific plan which will involve the active participation of athletes in the recruitment of future team members.

I. Chancellor and Board of Trustees

The Committee believes that the problems of the Black athletes and the university athletic program, while related to the relationship of coaches and players, cannot be disassociated from the racial tensions which are to be found in every segment of contemporary life.

Syracuse University by the mandate of its charter is specifically committed to the dignity and worth of all persons.

The Committee is aware that in recent years the Board of Trustees, the Chancellor, the faculty and students have become aware of the danger of racism and have taken steps to eliminate it throughout the University.

The Committee recommends that the Chancellor continue to use his administrative power to eliminate all racist practices which either overtly or covertly threaten minority groups.

It further recommends that the Board of Trustees give special attention to the interpersonal relationships within the university, keeping in mind in their deliberations that the future of the university rests no less on the internal character of her community life than on her physical properties and fiscal endowment.

We commend the Chancellor and the members of the administrative staff of the University for their part in working with all parties related to the athletic program in attempting to reconcile justly the differences which have arisen between Black and White athletes and the coaching staff. We recommend the continuance of their endeavors. We believe that all members of the University structure must work together to resolve controversial issues in a manner beneficial to the entire university community.

APPENDIX A.

HUMAN RIGHTS COMMISSION OF SYRACUSE AND ONONDAGE COUNTY
211 CITY HALL
SYRACUSE, N. Y.

COMPLAINT FORM

COMPLAINANT'S NAME: DANA J. HARRELL
ADDRESS : 125 Haven Road, University Heights
TELEPHONE : 476-5019

ADDITIONAL COMPLAINANTS: Al Newton - 478-4680
Duane Walker - 1108 E. Genesee St., Apt. 201 - 475-4555

PERSON COMPLAINED OF: COACH BEN SWARTZWALDER
ADDRESS: SYRACUSE UNIVERSITY
TELEPHONE: 476-5541

DATE OF INCIDENT _____ TIME _____

| Name of Additional Witness (es) | Address | Telephone |
|------------------------------------|----------------------------|------------------------|
| <u>DR. ALLEN R. SULLIVAN</u> | <u>SYRACUSE UNIVERSITY</u> | <u>476-5541 x 3600</u> |

Details of the complaint (Use second sheet if necessary):

1. In the summer of 1968, complaints were made to the Human Rights Commission concerning racial difficulties on the Syracuse University football squad. The Commission at this time found cause for complaint and admonished the University and the coaching staff. A suggestion was made that the coaching staff hold meetings with the team to determine and discuss the depth of the difficulty.
2. At a team meeting the question was asked whether there were any racial difficulties on the team. An answer of yes was given. On information and belief the black athlete who spoke up at that time was unjustly perceived as a trouble-maker and consequently removed from the team for what was termed a "medical reason.
3. In the spring of 1969 a group of concerned adults consisting of Councilman Robert Warr and Drs. Ronald Walters and Allen Sullivan lodged formal complaints of racial discrimination to the University administration in a meeting with Dean Jim Carleton, Athletic Director James Decker and head football coach Ben Swartzwalder. At this time, we the complainants, documented that there was differential treatment accorded to players because of their race.
4. On several occasions, for example, black players were sent to the Dean of Men for discipline whereas white players, in some cases involved in more serious incidents, would talk to the assistant coaches and get counselling. The offenses committed by the white players were not reported to Coach Swartzwalder: those of the black players were.

5. Furthermore, when the traveling squad list was posted, black players would be shifted from their regular position to one with which they were unfamiliar on Thursday, the day the list is posted. Thus, they could not be on the traveling squad, which consists of the first two men for each position. On Monday after the road game, they would be shifted back to their original position. On information and belief this did not happen to white players.
6. At the spring 1969 meeting, we suggested that the hiring of a black assistant coach might be one way of monitoring the situation. At the same meeting we were assured that a black coach would be hired by fall, 1969. This promise was not met and a second promise was made that the coach would be hired for the spring practice session of 1970.
7. In the spring of 1970, Floyd Little was brought in to practice for two days and his appearance was represented as fulfilling the promise. However, on information and belief, Mr. Little comes to Syracuse every year in April for a few days to have his income tax completed.
8. The misrepresentation of Mr. Little as the black coach was a breach of the promise made to us. Thus, we initiated a boycott of spring practice. We expressed, at this time, our desire to play football, but until the promise of hiring a black assistant coach was met, we would continue to boycott.
9. At this time, an agreement was again made with the University administration and coaching staff which established procedure for coach selection. A selection committee consisting of Coach Swartzwalder, Dean Carleton and our player representative, Dr. Sullivan. This committee was to interview each perspective candidate.
10. On information and belief, at this same time, 68 white players, with the encouragement of the coaching staff, wrote a letter to the administration indicating that there is not any racial problem on the team and that they would not play under a black coach.
11. For three months we heard no word from the University concerning their search for a candidate. We had contacted the administration every week after making the agreement.
12. We then found out that a candidate had been secretly invited and interviewed without informing us or our representative. This constituted another breach of promise. When we protested and insisted that the coach should not and could not be hired unless he was interviewed by our representative, the University sponsored a trip for two of us to Florida to interview him. The University press, had, however, had a chance to interview the candidate when he was here.
13. When we returned from the trip, we recommended that the candidate be hired.
14. The day after we made the recommendation, Coach Swartzwalder told us that, with the unanimous decision of his staff, some of us who are seniors would not be allowed to play this season. Certified letters had been sent to our homes asking us to declare our status by August 1 and it was at the individual meetings that we were told we would not be allowed to play football.
15. When we asked why we were not being allowed to play football this season, we were given no response by Coach Swartzwalder. On information and belief, no white players were told they would not be allowed to play football.
16. We therefore charge Coach Ben Swartzwalder and his staff with discriminatory



HUMAN RIGHTS COMMISSION OF SYRACUSE AND ONONDAGA COUNTY

211 CITY HALL SYRACUSE NEW YORK 13202

• TELEPHONE. 473-4695

MAYOR LEE ALEXANDER

COUNTY EXECUTIVE. JOHN H. MULROY

August 23, 1970

Chancellor Corbally
Syracuse University
Syracuse, New York 13210

Introduction

This conference met in an attempt to communicate with everyone concerned in a neutral atmosphere. The basis of the effort was to allow the University and said complainants to discreetly handle the problem without outside interference or conflict.

the

The representatives of /Human Rights Commission were pleased with the attitude in which the complainants and the respondent co-operated to try to find a workable solution.

A factor of note is that the positions placed by both parties strongly appeared to identify with the short or long-run interest of the University in race relations and football. What seems to be lacking, however, is communication between the parties. However, discussions at the meeting resulted in progress in that direction.

Review of the Meeting

The major points discussed in the meeting were:

1. The history of dissatisfaction with the treatment of black football players does not begin with this incident but extends back to 1968.
2. The lack of legitimate grievance procedures have added the ingredients of frustration and mistrust to what was a simple complaint.
3. The broken promise made by the University to hire a black coach by the spring session of 1970 brought the problem to a peak.
4. The Chancellor, for his part gave strong verbal assurance to the players that he would follow through on his commitments and cautioned them of the consequences of further boycott.

Review of the Meeting

5. While Chancellor Corbally appears to have the personal respect of all parties concerned, his commitment to hire a coach by fall practice was doubted because of past experiences.
6. Coach Swartzwalder acted in a summary fashion in dismissing the football players. The only factor that appears to have been considered is the coach's personal opinion of the players attitudes.

Summary and Recommendations

Summary:

One of the most important factors in human relations management is the ability to instill confidence in those you supervise that they will not be treated arbitrarily. Workers must feel that the standards for reward or discipline are consistent. The single point that was abundantly clear at our meeting on August 21, 1970, was that coach Swartzwalder did not instill confidence among his Black players. He also found it unusually difficult to explain to any of us his standards for disciplinary action as applied in this case. As a result he leaves himself open to the charge of arbitrariness and possible discrimination.

The football players, on the other hand, did voluntarily choose to miss practice for a protracted period knowing fully the possible consequences. They apparently ignored assurances by you and your staff that their demands would be met. Obviously they bear some responsibility for the present situation. If coach Swartzwalder had firmly established a well documented policy in these types of situations, and if he had followed these policies scrupulously, we would be forced to negate any charge of discrimination. However, he did not.

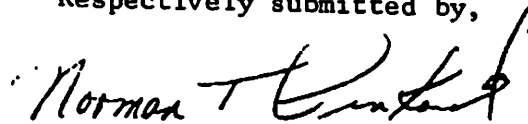
Therefore, I recommend that:

1. Coach Swartzwalder should identify the commitments he feels are necessary for the suspended athletes to indicate "good faith" and be reinstated on the team.
2. The coach should also be prepared to establish procedures to help instill confidence and trust in his players. He should recognize that because of history and contemporary events it will be far more difficult to establish rapport with Black players than white.
3. We must recognize that this confrontation has effected attitudes at all levels of the team. Therefore, some effort should be made to bring everyone's feelings out in the open. While communication alone will not change all of the misgivings that exist, it might lay the groundwork for understanding.

Recommendations, contd.

4. The suspended players, on the other hand, should be prepared to list the commitments that they would require from the coaching staff to make them feel more secure as part of the team.
5. The players should also be prepared to work with the University in total "good faith" once both sides have come to an agreement on terms.

Respectively submitted by,



Norman T. Pinkard
Human Rights Commission of
Syracuse & Onondaga County

NTP:dd

cc: Chairman of Human Rights Commission
Raymond Gantter

D. J. Harrell

News from Syracuse University

Richard Wilson, Director
 News Bureau
 105 Administration Bldg.
 Syracuse University
 Syracuse, New York 13210



(315) 476-5541
 Ext. 2781

Statement by John E. Corbally Jr.
 Chancellor, Syracuse University
 August 25, 1970

The current discussions related to the suspension of several students from our football squad are complex and transcend the specific interests of football at Syracuse. The problems involved cannot be resolved in the harsh glare of publicity. The basic facts are that a series of misunderstandings between several black athletes and the football staff led to a boycott of Spring practice last May by several black athletes and that, as a result of protracted absence from practice, these athletes were suspended from the squad. Nine athletes were involved. Two of these men were reinstated to the squad following interviews with Coach Schwartzwalder during the summer. On July 30, three of the students who were not reinstated filed charges of discrimination against the University and Coach Schwartzwalder with the Human Rights Commission of Syracuse and Onondaga County. On August 21, at the request of Mr. Norman Pinkard, Executive Director of the Commission, representatives of the University, five students, and two staff members of the Commission met in a private session to review the charges. On August 24, I received recommendations from Mr. Pinkard containing his views of actions which should be taken to resolve the conflict without the necessity of formal hearings on the matter.

These recommendations were as follows:

- (1) Coach Schwartzwalder should identify the commitments he feels are necessary for the suspended athletes to indicate "good faith" and be reinstated on the team.
- (2) The coach should also be prepared to establish procedures to help instill confidence and trust in his players. He should recognize that because of history and contemporary events it will be far more difficult to establish rapport with black players than white.
- (3) We must recognize that this confrontation has affected attitudes at all levels of the team. Therefore, some effort should be made to bring everyone's feelings out in the open. While communication alone will not change all of the misgivings that exist, it might lay the groundwork for understanding.
- (4) The suspended players, on the other hand, should be prepared to list the commitments that they would require from the coaching staff to make them feel more secure as part of the team.
- (5) The players should also be prepared to work with the University in total "good faith" once both sides have come to an agreement on terms.

Following receipt of these recommendations, Coach Schwartzwalder, Athletic Director, Decker, Vice Chancellor Carleton, Assistant Chancellor Winters, and I met extensively to review the proposals. We reached general agreement on the position described in the following letter which I have today sent to Mr. Pinkard.

August 25, 1970

Mr. Norman T. Pinkard
Human Rights Commission of Syracuse and Onondaga County
211 City Hall
Syracuse, New York 13202

Dear Mr. Pinkard:

This letter is in response to your report and recommendations under date of August 23, 1970 related to the complaint filed with the Commission by Dana J. Harrell et al alleging discriminatory practices on our football team. While we are prepared to recognize the existence of misunderstandings between certain student-athletes and the football coaching staff, we categorically deny the general allegation of discriminatory practices and the specific allegations claimed to support that general charge. Parenthetically there have been distortions of the facts which have been widely circulated and these we likewise deny.

While denying the charges and while recognizing the appropriateness of the penalty for missing a protracted period of practice, in the interest of the young men involved and under all the circumstances, particularly recognizing the unfortunate misunderstandings which surround this situation, Coach Schwartzwalder and Athletic Director Decker will accept your recommendations for conciliation. Enclosed is a statement which if accepted and signed by any currently suspended member of the football squad who is otherwise academically eligible for participation will result in his immediate reinstatement to the squad under the conditions specified. It should be noted that these conditions apply to all members of the squad and do not represent differential treatment of the suspended athletes. It should also be noted that the statement defines a grievance procedure which will also be applicable to all members of the squad. The coaching staff shares your concern for the problem of attitudes and will continue the efforts made to deal with this problem. It is my belief that in view of the foregoing a student-athlete who is fully prepared to participate as a member of our football squad will find a complete effort made by the coaching staff to provide him with a secure and an honest opportunity to so participate.

Mindful of the legal responsibilities of your office and of our obligation to attempt to meet the established policies of your agency, we submit this response which complies with your recommendations. In view of the imminence of a football season and the necessary requirements of training it is important that students who desire reinstatement to the football squad see or contact Coach Schwartzwalder on or before Wednesday, August 26. We appreciate your efforts in this matter.

Sincerely,

/s/John E. Corbally, Jr.

JEC:ew
Enclosure

In requesting reinstatement as a member of the Syracuse University football squad, I concede that dismissal from the squad was a logical consequence of missing football practice for a protracted period during the Spring, 1970. I further recognize that this absence from practice for a protracted period affects my status with regard to the initial depth chart. In support of my request for reinstatement and as evidence of my desire to contribute meaningfully to the success of the football team, I make the following commitments to the coaching staff and to the tri-captains of the football team. I understand that these commitments are required of every member of the football squad.

- I. I have reread and reaffirmed acceptance of the Code for Syracuse Athletes.
- II. I promise a cooperative attitude and commit myself to 100% effort in all drills and other assignments.
- III. I am willing to play any position designated by the football coaching staff.
- IV. I will accept and follow all training rules established by the coaching staff and all rules and decisions related to such matters as training table, trip lists, trip schedules, ticket allocations, and housing. I understand that these rules and decisions will apply equally to all members of the squad.
- V. I agree that it is a disservice to the team and to individuals concerned to air grievances in the public arena. The grievance procedure outlined in Item VI is the logical approach to the resolution of past and present complaints and dissatisfactions and I will follow the proposed procedure.
- VI. I agree that all complaints or grievances will be taken up initially with Coach Schwartzwalder or with an assistant coach. If this discussion does not resolve the grievance, I shall discuss it with the Director of Athletics. If still dissatisfied with the result, I will discuss the problem with the Chairman of the Athletic Governing Board.

Signed: _____

CODE FOR SYRACUSE ATHLETES

An athlete at Syracuse University:

Is aware of the value of intercollegiate athletics to the institution and to himself, and will accept participation as an opportunity for self-development and for contribution to the institution. He also accepts the responsibility that accompanies the opportunity by regular attendance at practice, by an all-out effort, by loyalty to his team, and support of the University.

Conducts himself as a gentleman always, on and off the campus, and never, through misbehavior, embarrasses his University, coach, teammates, fellow students or family.

Considers it a privilege to represent Syracuse University and as an athlete realizes that he will be in the public eye and hence is careful in his associations.

Meets all University appointments and obligations promptly and regularly, both in the classroom and on the athletic field.

Conforms absolutely to the training rules established by the coach of his sport.

Obeys the instructions and orders of departmental staff members that are normal and necessary for the operations of the sports program.

Reports immediately to the Director of Athletics, or his representative, any suspected attempt to "fix" the score of a contest or any unusual request from outside sources for information about his team. He neither bets himself, nor takes bets on any athletic event.

Retains his amateur standing as defined by the National Collegiate Athletic Association and the Eastern College Athletic Conference, and will not sign, or agree to sign, a professional contract during his period of collegiate eligibility, nor will he agree to be represented by an agent or organization for the marketing of his athletic ability during this period.

Knows that willful disregard of this code can result in suspension from his athletic squad and/or other disciplinary penalties, and possible graduation or cancellation of financial aid.

Understands that when he feels that he cannot live up to this code, he so indicates to the proper University official and withdraws from his sport.

_____, 1970

In requesting reinstatement as a member of the Syracuse University football squad, I recognize that dismissal from the squad is a logical consequence of missing football practice for a protracted period. I further recognize that absence from practice for a protracted period affects the status of a member of the squad with regard to the initial depth chart. In support of my request for reinstatement and as evidence of my desire to contribute meaningfully to the success of the football team, I make the following commitments to the coaching staff and to the tri-captains of the football team. I understand that these commitments are required of every member of the football squad.

I. I have reread and reaffirmed acceptance of the Code for Syracuse Athletes.

II. I promise a cooperative attitude and commit myself to 100% effort in all drills and other assignments.

III. I am willing to play any position designated by the football coaching staff.

IV. I will accept and follow all training rules established by the coaching staff and all rules and decisions related to such matters as training table, trip lists, trip schedules, ticket allocations, and housing. I understand that these rules and decisions will apply equally to all members of the squad.

V. I agree that it is a disservice to the team and to individuals concerned to air grievances in the public arena. I will exhaust the grievance procedure outlined in Item VI prior to seeking other means for the resolution of past and present complaints and dissatisfactions.

VI. I agree that all complaints or grievances will be taken up initially with Coach Schwartzwalder or with an assistant coach. If this discussion does not resolve the grievance, I shall discuss it with the Director of Athletics. If still dissatisfied with the result, I will discuss the problem with the Chairman of the Athletic Governing Board.

Signed: _____

APPENDIX E.

STATEMENT OF EXPECTATIONS BY THE BLACK ATHLETES
AND STAFF OF SYRACUSE UNIVERSITY

In accordance with item #4 of the conciliation recommendation of the Syracuse and Onondaga Human Rights Commission--"that the suspended players should be prepared to list the commitments that they would require from the coaching staff to make them feel more secure as a part of the team"--the following expectations are set forth:

1. There should be black professionals and other personnel hired in the Athletic Department of Syracuse University and in the coaching staff on all levels.
2. There should be a full scale investigation into the charges of racial discrimination in Syracuse University Athletics by the Vice Provost for Minority Affairs and the results of this investigation should be reported to the Syracuse University Community by the beginning of the second semester.
3. An Advisory Committee appointed by the Chancellor with the approval of the black athletes should develop a monitoring system to assure that the participation of black players is commensurate with their skills and talents. Persons on the Advisory Committee should be drawn from local community groups and black athletic alumni.
4. The University should undertake immediate steps to fulfill the requirements of items #2 and #3 of the Conciliation recommendations of the Syracuse and Onondaga Human Rights Commission which state the following:
 - I. The coach should prepare a written plan to establish a new rapport with black players in the light of historical and contemporary events.
 - II. A sensitivity program should be developed to facilitate communication and positive attitude development among the athletic department and its participants.

APPENDIX F.

STATEMENT OF COMMITMENT

1970

I, a member of the Syracuse University football squad, commit myself to the ideals of sportsmanship. As evidence of this commitment and desire to achieve excellence in football and to uphold the winning tradition of Syracuse, I make the following commitments to the coaching staff and the captains of the football team:

1. I reaffirm my acceptance of the Code for Syracuse Athletes.
2. I promise a cooperative attitude and full cooperation in all drills and other assignments.
3. I am willing to play any position designated by the coaching staff that will fully utilize my abilities.
4. I will accept and follow all training rules established by the coaching staff and all rules and decisions related to such matters of training table, trip lists, trip schedules, ticket allocations and housing. I understand that these rules and decisions will apply equally to all members of the squad.
5. I agree that a grievance and appeals procedure is necessary and that it should involve the discussion of complaints first with the coaching staff, and if the solution is unsatisfactory, such complaints may be appealed to the Athletic Governing Board.

Signed: _____

Date: _____

APPENDIX G.

September 21, 1970

Spokesmen for the eight black student athletes who declined to participate in Spring football practice and subsequently were not invited to return to the squad delivered a two part document to the Chancellor's Office on September 17.

The first part of this document is headed "Statement of Expectations by the Black Athletes and Staff of Syracuse University". The most significant item contained within these expectations is the desire for a full scale investigation of charges of racial discrimination in Syracuse athletics in addition to that which already has been completed by the Syracuse and Onondage County Human Rights Commission. According to the administration with the endorsement and support of the Athletic Department and coaching staff will appoint immediately an investigating committee to review all the matters contained within the "Statement of Expectations". The committee will be asked to convene at once and to produce a comprehensive public report. This committee represents an extension of a University position which was presented to the Human Rights Commission and which represent our commitment to the resolution of problems on campus within a framework of rationality and open exchange of information.

The second part of the document--"Statement of Commitment"--was signed by each of the eight black student athletes. While the statement is in many respects similar to the request for reinstatement which these athletes previously declined to sign, it is also different from that statement in significant ways. Despite these differences, the administration has reviewed the request thoroughly and has held lengthy discussions with personnel of the Athletic Department. On the basis of our review we do not consider the reinstatement of the suspended players to the squad as advisable at this time.

APPENDIX H.

News from Syracuse University

Richard Wilson, Director
News Bureau
105 Administration Bldg.
Syracuse University
Syracuse, New York 13210



(315) 476-5541
Ext. 2781

For immediate release:

Sept. 22, 1970

Coach Ben Schwartzwalder tonight recommended to Chancellor John E. Corbally Jr. the reinstatement of the eight suspended black athletes after a squad vote to take the players back. Chancellor Corbally announced that he was accepting the recommendation of Coach Schwartzwalder and the players will be reinstated immediately.

Chancellor Corbally also announced that most of his trustee-facul student committee to investigate the allegations of the black athletes regarding racial discrimination have now accepted their appointments. Their names are expected to be announced Wednesday.

Chancellor Corbally said: "The committee will be convened by Vice Chancellor Jim G. Carleton as soon as possible, to meet on a tight time schedule and prepare a comprehensive report at its earliest convenience. The committee will look into all of the black athletes' allegations, take testimony from athletes and coaches and examine any other witnesses and evidence it deems relevant."

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APPENDIX I.

Syracuse University Press Release - September 23, 1970

Syracuse University Chancellor John E. Corbally, Jr. today announced the names of the 12 members of a trustee-faculty-student committee who will investigate allegations by black athletes of racial discrimination.

Dr. Jim G. Carleton, Vice Chancellor for Student Affairs, is a non-voting member of the committee. He said it will meet for the first time Thursday, September 24. The trustee members are William S. Clark, Bishop W. Ralph Ward, Jr. and Morris S. Weeden.

The student members are Joseph DiPrisco, a junior in the College of Liberal Arts, Robert L. Silver, graduate student in engineering and president of the Graduate Student Organization, and Alan Stamm, a senior in the College of Liberal Arts and editor-publisher of Dialog, an independent news weekly.

The faculty members are Otey M. Scruggs, professor of history, Donald W. Meinig, professor of geography, and Mrs. Pauline A. Atherton, associate professor of library science.

Three other members were nominated by the director of athletics, James H. Decker, by the Student Afro-American Society (SAS), and by the provost and vice chancellor for academic affairs, Melvin A. Eggers. Decker nominated Donald E. Kibbey, professor of mathematics, the SAS nominated Dr. Charles V. Willie, professor of sociology, and Dr. Eggers nominated Dr. John L. Johnson, assistant provost for minority group affairs.

APPENDIX J.



STATE OF NEW YORK
EXECUTIVE DEPARTMENT
DIVISION OF HUMAN RIGHTS

559 STATE OFFICE BUILDING.
333 E. WASHINGTON STREET
SYRACUSE, NEW YORK 13202
TELEPHONE GR 4-5981 EXT. 338

ROBERT J. MANGUM
COMMISSIONER
NEAL M. HOFFMAN
REGIONAL DIRECTOR

338

September 18, 1970

Chancellor John Corbally, Jr.
Syracuse University
Syracuse, New York 13210

Re: V-CE-688-70 Al Newton, Jr. vs Syracuse University, Athletic
Department, and Coach, Ben Swartzwalder

Dear Chancellor Corbally:

Enclosed you will find a copy of a complaint recently filed with this Division, in which you have been named as a respondent. In accordance with provisions of the New York State Human Rights Law which require prompt service of a complaint upon all respondents, you are hereby notified of the filing of this complaint.

In the very near future, you will be contacted either by telephone or in writing by a representative of this office, for the purpose of investigation of the complaint.

Should you have any questions prior to being contacted, you may call this office and discuss them with a member of this staff.

Very truly yours,

Neal M. Hoffman
Neal M. Hoffman
Regional Director

Syracuse University

REC'D

SEP 21 1970

Complainant: Al Newton, Jr. Complaint No. _____

Respondent: Syracuse University, Athletic Department and Coach Ben Swartzwalder

4. On different occasions the hiring of a black coach was promised by the Athletic Department. We do not feel that these promises were made in good faith as the University did not actively seek out applicants and at least in one instance, did not follow through on one applicant. Finally after bringing the matter to higher administrative personnel and a boycott, a black coach was hired. We feel that had white players requested a change or addition to the staff, the matter would have been given prompt and serious attention.

5. Ben Swartzwalder said to several black players "Be a football player first and Negro, Black or whatever, you want to be second". I do not feel that as blacks we should be expected to ignore violations of our civil rights. Nor do I feel that we should be subjected to what we believe to be discriminatory practices that demean our pride and dignity.

6. As a result of our efforts to protect our human and civil rights, as well as our dignity, we have been told that we "cannot re-join the team under any circumstances". We feel that had white players attempted to protect their rights, they would be permitted to return to the team.

7. I therefore charge the respondent with an unlawful discriminatory practice in violation of the Human Rights Law of the State of New York by denying me the use of its facilities because of my race and color. I am Black.

I have not commenced any civil, criminal or administrative action or proceeding in any court or administrative agency based upon the same grievance.

STATE OF NEW YORK)
COUNTY OF ONONDAGA) ss:

Al Newton, Jr.
(Signature of Complainant)

Al Newton, being duly sworn, deposes and says: that he is the Complainant herein; that he has read the foregoing complaint and knows the contents thereof; that the same is true of his own knowledge except as to the matters therein stated on information and belief; and that as to those matters he believes the same to be true.

Subscribed and sworn to before me
this 3 day of September, 1970.

Al Newton, Jr.
(Signature of Complainant)

STATE OF NEW YORK : EXECUTIVE DEPARTMENT

DIVISION OF HUMAN RIGHTS :
on the complaint of :
AL NEWTON, JR. Complainant, :
against : COMPLAINT NO. V-CF-578-70
SYRACUSE UNIVERSITY, ATHLETIC DEPARTMENT AND :
COACH, BEN SWARTZWALDER Respondent. :

I, Al Newton
residing at 611 Walnut Ave, Syracuse Tel No. 478-4620
charge Syracuse University, Athletic Department and Coach, Ben Swartzwalder
Tel No. _____
whose address is Syracuse
with an unlawful discriminatory practice relating to education on or about _____
July, 1970 and continuing
because of my RACE (XXX), COLOR (XXX), RELIGION ().

The particulars are:

1. I have been playing football at Syracuse University since Fall, 1967. Initially I put forth maximum effort to play my best and to retain a good attitude towards my fellow players and coaches.
2. During my Sophomore year I became aware of a double standard in choosing players for team positions.

Preferential Treatment for Players:

A. Upon information and belief, the procedure is for an upper classman with the most experience to be given priority for an open position. Black players are placed in accordance with this policy. White freshman players, however, have moved into varsity slots without any experience as a varsity player.

B. The lack of disciplinary procedures caused the coaching staff, which we believe to be discriminatory and racist, to act arbitrarily on disciplinary issues. Black players have been given more severe penalties for less severe acts than whites.

C. Furthermore, when the traveling squad list was posted, black players would be shifted from their regular position to one with which they were unfamiliar on Thursday, the day the list was posted. Thus, they could not be on the traveling squad, which consists of the first two men for each position. On Monday after a road game, they would be shifted back to their original position. On information and belief, this did not happen to white players.

3. On different occasions black players have been subjected to derogatory comments by players and coaches. This has been brought to the attention of the head coach and administration without anything being done.

APPENDIX K.

September 27, 1970

TO: Chancellor Corbally
FROM: The Eight Black Athletes and Player Representative
RE: REJECTION OF "MYTHICAL REINSTATEMENT"

We feel that there was never a vote taken to reinstate us but rather there was a vote to reinstate Saturday's game. In view of the securities used, it appears that this attempted use of us was unnecessary. You could have kept the game going without even mentioning our names.

Ben Schwartzwalder, while in the meeting with Commissioner Mangum indicated that he did not recommend our return. He only indicated that he would follow the instructions of his superiors while incidentally pointing toward administration officials. He has no intentions of accepting us or resolving the immediate issues e.g. feelings currently existing between us and the white players. His current "hands off" policy only serves to cloud the issue.

The white players further clouded the issue for us with the following series of statements:

1. "It (the decision) should never have been made by us, but by the University."
2. "We were given a chance to vote on whether or not to play the game, not on whether or not to accept the blacks."
3. "The team is 100% in favor of playing the game and 100% against taking back the black players."

In Commissioner's Mangum telegram he requested our restoration pending the resolution of the controversy.

Instead, we believe that we have witnessed a university administration committed to pacifying the issue through trickery.

First, we believe that you coerced the white athletes by using the game as a "whipping stick."

Second, we believe that you acted as if there had been a reinstatement agreement even though our consent had never been given.

Third, we believe that Ben Schwartzwalder used the white athletes rather than to stand and make a decision which was rightfully his as a coach.

In short, we believe that the administration, the Athletic Department, and Ben Schwartzwalder have shown little initiative in resolving the football situation.

We, therefore, join our brothers and sisters in the struggle against racism and discrimination.

We can only hope that you, too, will join this struggle.