

**HUSCH BLACKWELL**

# REPORT OF EXTERNAL REVIEW

Football Program Culture  
University of Iowa

July 2020

EXHIBIT

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## REPORT OF EXTERNAL REVIEW

The University of Iowa (the “University”) retained Husch Blackwell LLP to conduct an external review of alleged racial inequities within the football program, including mistreatment of Black student-athletes and a racially charged climate. We recognize that this matter has generated widespread attention and strong emotions have been expressed about the football program on various media platforms. Our task was to set that aside and impartially examine the football program’s culture and perceptions of current and former players with respect to these matters. This report provides a summary of the information gathered during that review.

While our report does recount specific allegations and incidents relayed to us, we recount these allegations and incidents in the context of assessing the program’s culture and the perceptions of current and former players. Some of the specific allegations and incidents we describe were corroborated by numerous witnesses. Other specific allegations and incidents, however, were disputed and/or were uncorroborated. We were not asked to determine the veracity of any specific allegation or incident. Therefore, our reciting of a given allegation or incident in this report is not a determination that the allegation or incident occurred as reported.

Specific allegations of mistreatment made against current and former employees have been summarized and provided to the University in four separate personnel reports from Husch Blackwell so that they may be addressed, as appropriate, pursuant to the institution’s personnel policies and procedures.

### Executive Summary

We interviewed 111 individuals, including 45 current and 29 former members of the football team and 36 current and former employees. While witnesses reported a range of experiences within the football program, we discerned several clear themes from the information we received.

Players and coaches uniformly agreed that the Iowa football program is based on a foundation of discipline and accountability. Several current and former players shared the view that some coaches have used those values to create and perpetuate an environment that bullies and demeans athletes, especially Black athletes. Moreover, recognizing that college athletes typically experience some degree of stress associated with their training and performance, several interviewees shared that the program’s stringent rules promulgated under the name of discipline place significant, heightened stress on players of all races.

The interviews revealed that the Iowa football program has historically adhered to a philosophy (the “Iowa Way”) that mandates uniformity and discourages individualism. Many Black players expressed difficulty adjusting to the program’s culture as a result, explaining that they were required to conform to a “mold” that appeared to be built around the stereotype of a clean-cut, White athlete from a midwestern background. Numerous rules, both formal and perceived,

requiring conformity around hair, clothing, jewelry, and tattoos left many Black players feeling isolated, targeted, and unwelcome in the program.

While many players shared criticisms about the program generally or their personal experiences with certain coaches, most players commented positively about Head Coach Kirk Ferentz and his leadership of the program. Numerous players also praised their position coaches and described the beneficial impact those coaches have had on both their athletic and personal development. Players of all races also described forming good relationships with their teammates.

Finally, the current players were uniform in their belief that the environment in the football program has improved significantly since the inception of this review — both in a general sense and through specific attempts to address or prevent racial inequities. The players expressed hopefulness that these improvements will continue and result in sustained action that will improve the program.

## Background Information

In response to the May 25, 2020 death of George Floyd and the enhanced national focus on racial injustice, Head Football Coach Ferentz shared a statement with the football team on June 1, 2020. In his statement, Head Coach Ferentz expressed his hope that football team members could help effectuate change by learning to be better listeners, understanding one another's life experiences, and growing as individuals and as a team. Around the same time, Head Coach Ferentz addressed the issue of players kneeling during the national anthem, telling the media that he wanted the team to make a unified decision about this issue for the upcoming season.

On June 3, 2020, James Daniels, a former University of Iowa football player, tweeted "If the team collectively decides to kneel, this will bring about a cultural change for both Iowa football and the state of Iowa which I believe is long overdue!!!" Two days later, Daniels followed up with a second tweet asserting: "There are too many racial disparities in the Iowa football program. Black players have been treated unfairly for far too long." Numerous former players then took to social media platforms and other media outlets raising allegations of mistreatment and speaking out about the need for cultural change.

On June 6, 2020, the University placed strength and conditioning coach Chris Doyle on administrative leave after numerous former players accused him on social media of mistreatment. The University announced Doyle's resignation on June 15, 2020.

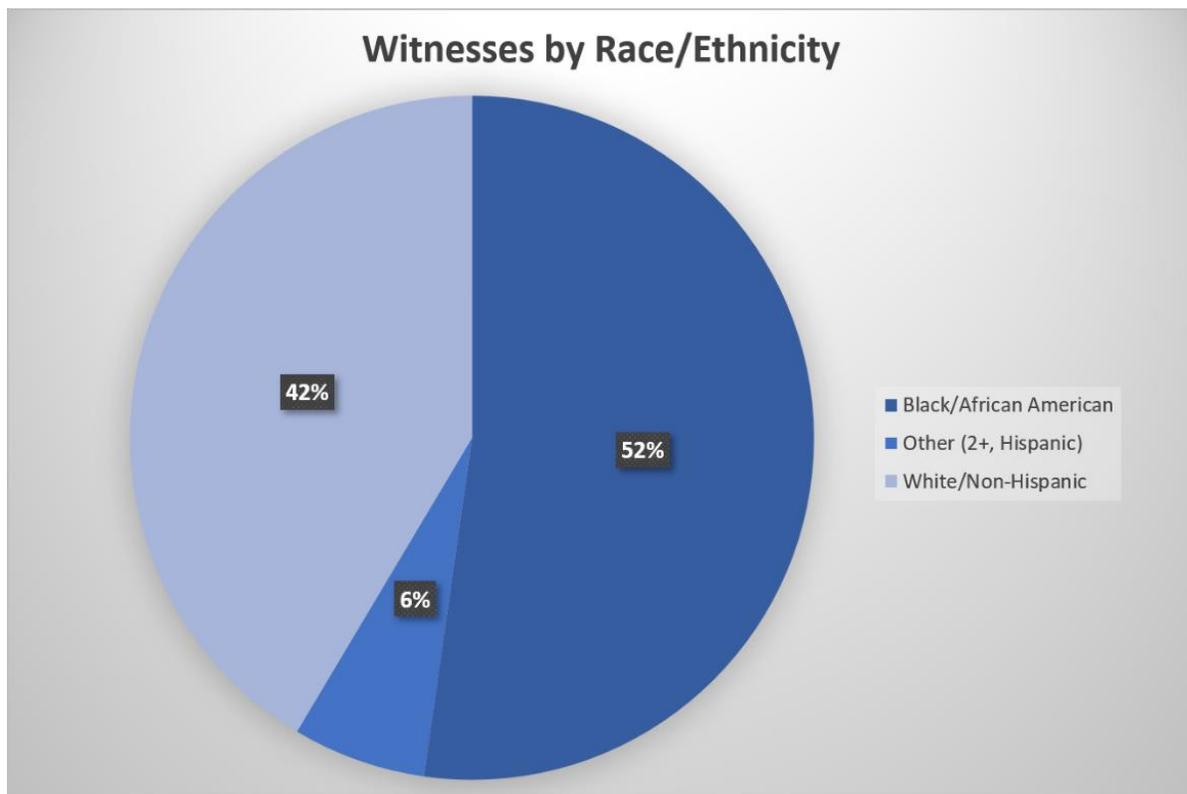
## Scope of Review

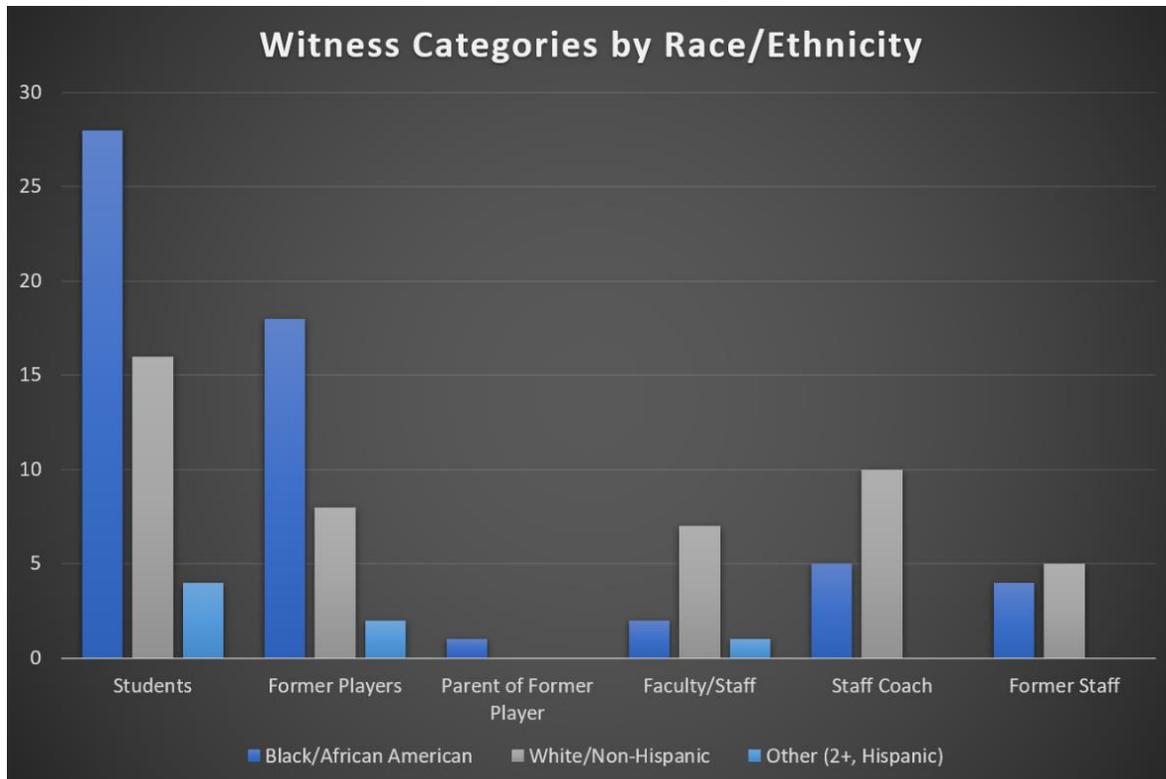
We sent an email to all current players notifying them of this review and providing them with an opportunity to report concerns and speak with the investigators. We also researched and reviewed the social media posts and media mentions from current and former players that

raised relevant allegations about the football program. We used this information to develop our lines of inquiry and contacted individuals to gather additional information about their experiences at the University and in the football program. We interviewed the individuals who responded and agreed to participate; their responses are encompassed within this report.

In addition to conducting interviews, we reviewed evidence provided by the University and witnesses, including the 2018-2019 UI Athletics Diversity Task Force Report, the Athletics Department Diversity, Equity and Inclusion Plan, year-end student-athlete survey results, and annual training materials for the football program. We also reviewed team documents provided by Head Coach Ferentz and transcripts from two media conferences given in advance of the Pinstripe Bowl.

The following charts set forth the racial composition of the individuals who participated in the review:





## Report Structure

This report discusses the information gathered during the review, with detail around common themes and the range of topics covered. The report does not make findings as to whether specific incidents occurred or did not occur. Rather, specific incidents and allegations set forth in the report are included to provide examples of the different perspectives of the program culture.

In terms of organization, the report first addresses information gathered about the football program in general, discussing the “Iowa Way” and treatment of players, including information about differential treatment of Black players. The report then addresses the retention of Black players, the work of a prior Athletics Diversity Task Force, recent changes made in the football program, and University resources aimed at preventing and addressing concerns of race discrimination and harassment.

## Summary of Information Gathered During Review

### Overall Program Experiences

#### *Player Descriptions of their Experience*

Current and former players conveyed a substantial range of assessments along a continuum ranging from very positive to very negative. The majority of current players told investigators they have had a good experience and their interactions with coaching staff have been mostly positive, helpful, and fair. Most current players have good relationships with their teammates and feel there is a good atmosphere in the locker room. One current player said he “loves it here. It is good. It is unique.” A second current player said he loves the atmosphere and culture. The majority of former players interviewed also described their overall experience in the football program as positive, although many of them reported having had difficulty adjusting to the program’s demands. One former player said he developed solid friendships with teammates and classmates.

Current and former players were overwhelmingly positive in their evaluation of the coaching staff, with three exceptions. Many current and former players told investigators that three members of the coaching staff abused their power and verbally abused and bullied players.<sup>1</sup> Specific allegations about current and former employees have been provided separately to the University.

### Football Program Racial Climate

There were strong disparities in witness perceptions of football program culture, especially with respect to race. Numerous players told investigators they chose to play at Iowa because of its reputation for being disciplined. Generally speaking, these players have no concerns with the football program’s culture. Multiple players and coaches said they have never seen or observed anything racially offensive. Two current White players conveyed to investigators that people have confused a “discipline culture” with a “racist culture.” In contrast, other players of various races expressed serious concerns about the racial climate. One former player explained: “Being an Iowa football player was a daily struggle for black players. We were punished for no apparent reason, singled out by coaches, and threatened and ridiculed every day. It is hard to explain how difficult it was. Think about being under pressure every day for 4 years solely because of your race. That is how it was for me and my black teammates.”

One coach told investigators that he does not think Iowa football is a racist program; rather, in his view, the problems arose because one or two coaches had too much power. Echoing the sentiments of many current and former players, this coach explained that it is harder to be a

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<sup>1</sup> Current and former players did not differentiate between coaching staff and strength and conditioning staff during their interviews. Thus, their general use of the term “coach” to reflect both categories of employees is reflected in this report.

Black player in the program because of the player “mold.” This sentiment is consistent with the views of the current and former players we interviewed who expressed an almost universal feeling that Black players do not feel supported within the program, even if they have not directly experienced negative treatment overtly based on race. According to many of the players, this is due to the program culture and a feeling that Black players cannot be themselves. To some players, this feeling has been created and perpetuated by certain members of the coaching staff.

Former players said the adjustment to Iowa and Iowa football is difficult, especially for those who come from more diverse backgrounds. In one former player’s words, White players were “used to being told what to do by White men; Black players were used to Black coaches and being able to be themselves.” One current player described having to suppress his personality and individuality in order to improve his experience in the program. Another player stated that the staff would not allow players to show their personalities, and he described that the coaches preferred the players to be “fake” rather than be themselves. That player recalled a coach telling the freshmen players that they needed to “get on a boat and sail away from their old lives” to be successful in the program. A different former player said the environment was “hard to take” on a daily basis, hurt his self-esteem, and made it difficult to focus on receiving a quality education.

Acknowledging extra burdens for Black players, several players and staff alike referred to a saying about the program: “If you make it through the Iowa football program as a Black player, then you can do anything.” One former player explained that it is difficult for people who have not been involved with a major football program to understand how Black players are treated. As he described, “I worked hard and helped our team win games. I finished as one of the top XXXs<sup>2</sup> in the program’s history, but every single day was a struggle. I felt bad about myself as did many of my Black teammates. We wanted badly to be successful and to help our team and took the abuse to achieve team goals.”

Several players, both current and former, also shared their belief that the coaching staff is not as welcoming or friendly to Black players as to their White teammates. According to the players, coaches “only become friendly with the Black players when they are contributing to the team” or if the Black player is a “superstar.” One current player, who is White, told investigators he feels supported by the whole staff, yet he acknowledged that his experience has been different than his Black teammates.

Finally, one former player said the culture is one where it is acceptable to demean people due to disability or race. According to several players, issues within the culture were “not just a Chris Doyle problem.” Those players said the culture problems are systemic and cannot be fixed simply by getting rid of one coach. Several former players commented that Coach Doyle should not be a “scapegoat” for the systemic issues in the program.

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<sup>2</sup> The former player’s position has been removed to protect his privacy and anonymity.

## “The Iowa Way”

### Overall Description

Every individual we interviewed was familiar with and described the concept of the “Iowa Way.” As witnesses explained it to us, the Iowa Way is the phrase used to describe the philosophy instilled in players to guide their actions in all aspects of their participation in Iowa football. Head Coach Ferentz explained that the Iowa Way is the football program’s “mode of operation.” He has three goals for each player within the program: (1) earn a degree, (2) maximize abilities as a football player, and (3) have a fulfilling college experience.

Head Coach Ferentz also explained that an educational program called the Iowa Way was initiated in 2019 for the incoming freshmen on the team. Six of the position coaches give talks to players about critical elements for success, including academic, athletic, and social success.<sup>3</sup> Coach Doyle also referenced the new educational program, explaining it is used to “teach the values and standards of what makes successful athletes.”

While no interviewee provided us with a formal definition of the Iowa Way, current and former players provided the following descriptions of its meaning:<sup>4</sup>

### Player comments on the Iowa Way



<sup>3</sup> Head Coach Ferentz provided investigators with a list of Iowa Way talks scheduled during the 2019 season that included a wide range of topics such as healthy relationships, time management, and social media.

<sup>4</sup> Head Coach Ferentz agreed that the team has a mantra of “tough, smart, and physical.” A couple of years ago, they added the word “together” to the mantra to reflect that in any team activity, being together is of primary importance.

Current and former coaches used the following descriptions for the Iowa Way:

#### Coach comments on the Iowa Way

Tough, smart, physical	Discipline	Accountability	Structure
Giving great effort	Doing things that are hard	Doing things "the right way"	Showing up and doing your work the best that you can
	Doing little things right that create a competitive edge to help create success	Being responsible, accountable, caring more about others than yourself.	

One former coach explained that the Iowa Way is about more than football, it is "how you live your life."

#### *Requirement to Fit the "Mold"*

Numerous players and coaches told investigators that the Iowa Way requires players to fit a "mold" that discourages self-expression and is not inclusive to Black players. Many players said that, if players do not fit the "mold," coaches do not want them in the program. Many Black players reported feeling like they cannot be themselves and must "completely change" or "put on an act." Players explained that there is a requirement to be "robotic," in that they are required to look the same, act the same, and say the same things. One former player said that conforming was like putting on a mask. A current player told investigators that constantly needing to conform is "mentally draining." One coach agreed that the concept has not been inclusive and can "very much alienate individualism." A second coach stated that players have told him the Iowa Way means "you act like a White person and cannot be yourself." Indeed, one employee told investigators that White players, as well as one coach, have said that Black players do not fit "the mold."

#### *Recruiting*

Many current and former players informed investigators that they were told the program has a "family atmosphere" during recruitment but found that to be untrue when they arrived. After arriving on campus, these student-athletes reported quickly learning that the coaching staff and program required them to quickly adapt to the culture of the Iowa football program. Some of the players felt like this culture did not resemble the family structure that was portrayed during the recruiting process. One student stated that immediately upon arrival on campus, freshmen were "secluded from the rest of the team" and told by a coach that the program was "going to

strip who they are and teach them the Iowa Way.” Players felt deceived because the coaching staff promoted a family atmosphere throughout the recruiting process yet neglected to inform them of the program’s requirement that they conform to a specific mold.

Head Coach Ferentz stated that, during the recruiting process, he personally informs every prospective player that the Iowa football program is not for everyone. Head Coach Ferentz told investigators that every student is told “it’s your choice.” He tells every player “you have earned a scholarship and the right to make the best choice” for yourself. Head Coach Ferentz encourages prospects to rely on their parents and high school coaches to make the best decision about which university to attend. He encourages prospects to speak with current players to get the best information about the program.

### *Program “Rules” and “Lists”*

The emphasis on rules and fear of breaking the rules was a consistent theme throughout the review from both current and former players.<sup>5</sup> Numerous players described not being able to “be themselves” because of the rules and feeling constantly afraid of making a mistake. Numerous current and former players reported that the coaching staff kept “lists”<sup>6</sup> of players who failed to follow the rules or meet expectations. One former player explained that the lists tracked missteps such as missing curfew, not going to a class, missing tutoring, or not following a coach’s directions. The general sense among those players was that once a player was labelled or placed on a list, their playing time was negatively affected, and the player was treated like a “bad kid.” Almost every player who mentioned the “lists” said it was very hard, if not impossible, to come off the list.<sup>7</sup> The players also reported being treated poorly because of their association with teammates on a list.

One employee confirmed hearing coaches tell players “you don’t want to become a ‘list guy.’” This employee thought there was just one “list” that encompassed drug issues, attendance, and other issues. A former coach told investigators that there was only one list for players “not doing the right things.” According to him, the main purpose of the list was to identify academic issues and sit down with players to understand what was happening in the classroom. Another coach said he was provided a paper list of players who had violated the rules. One of the coaches with information about sleep and weight lists, as discussed more below, said the lists caused players unnecessary stress and added to a culture of fear.

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<sup>5</sup> Some disagreement exists among those interviewed as to whether the “rules” described to investigators were, in fact, formal team rules; regardless of whether they were formal team rules or not, players perceived many of them to be “rules” that they were expected to follow.

<sup>6</sup> Descriptions of these “lists” encompassed both physical, written lists of names, as well as verbal or mental lists maintained by the coaches.

<sup>7</sup> Coaches had differing perspectives about the ability of players to come off the list, with some saying it was possible and others saying it was difficult.

Several coaches acknowledged that the players were subject to “many rules” and opportunities for making mistakes. One former coach said the program is very demanding, both physically and mentally. In describing the rule-bound environment, one coach told investigators he believes that “the Iowa program is an out and out abuse of power.” A different coach provided a contrasting perspective, summarizing the rules as “show up on time, have a good attitude, and listen to what you are being told.” Head Coach Ferentz told investigators he expects players to give effort every day, have a good attitude, communicate, and “be where you are supposed to be.”

Summary of “Rules” relayed by players and coaches

 Accessories	 Clothing	 Grooming	 Overall appearance				
<p><i>Players:</i> Not allowed to wear earrings or other jewelry or have tattoos.</p>	<p><i>Coaches:</i> Two explained jewelry rules were for health/safety reasons; two others did not know the rationale. Several noted that the team's policy changed in 2019 to allow earrings. Staff denied rules about tatoos.</p>	<p><i>Players:</i> Not allowed to wear hats, "do-rags," tank tops, and required to wear only "Iowa-issued gear" while in the football building.</p>	<p><i>Coaches:</i> Acknowledged rules about dress at team functions, while on the road for games, and wearing Iowa-issued gear in the football building.</p>	<p><i>Players:</i> A number of players reported short hair was required and that hairstyles traditionally associated with Black culture (e.g., locs, braids, cornrows) were not allowed.</p>	<p><i>Coaches:</i> Two coaches noted the need for hair not to obscure players' eyes. Denied formal rules restricting long hair or other natural hairstyles. Identified former players Black and White with long hair.</p>	<p><i>Players:</i> Expectation of presenting a "professional appearance."</p>	<p><i>Coaches:</i> Expectation of presenting a "professional appearance." One explained presence of scouts in the football building.</p>

According to the players, many of the program rules involved hair, clothing, and jewelry. Players told investigators they were not allowed to wear tank tops, earrings or other jewelry, or have tattoos. Players also stated that they were not allowed to wear hats or “do-rags” and were required to wear only “Iowa issued gear” while in the football building. Several players and coaches described the expectation as presenting a “professional appearance.” In contrast, one current player shared his opinion that the Iowa Way did not cover a player’s “look” or appearance and that rules about earrings and hats were not “too strict.” These rules made players, especially Black players, feel as though they could not be themselves.

Numerous players told investigators that the rules appeared to be racially motivated or enforced differently based on race. Players observed that, because of the requirement for conformity, coaches were not accepting of minority cultures. Indeed, several players expressed

a belief that the rules were targeted toward Black players, and one current player asserted that the coaches were using the rules to “eliminate Black culture.” Numerous players indicated that hairstyles traditionally associated with Black culture were not allowed. Moreover, two current players complained that rules regarding hats were unfair, racially motivated, and enforced differentially because White players could wear hats, but Black players could not wear “do-rags.” One former player said that country music was played “all of the time” rather than music that Black players preferred. Black players also believed that the no-jewelry rule had a disproportionate impact on them, as they reported wearing earrings more than their White teammates. Additionally, one former player stated that Black players were prohibited from wearing jewelry, yet White players could wear dog tags. A current player said that when he wears a hat or hoodie, coaches say “that is not how they do things here in Iowa.” One current player disputed the assertion that rules were enforced differently based on race, stating that he observed coaches giving players, both Black and White, “crap” about their tattoos.

Several coaches confirmed the existence of rules about earrings, hair, tattoos, and attire but denied they were based on race. One coach told investigators that the rules are based on professionalism, explaining: “When you are around people everyone knows who you are because you are on the football team. You need to pretend you are going into an interview and look that way all the time. A scout could be in the building and evaluate everything you are doing so the players always need to look and act professional.” Two other coaches explained that the rule prohibiting jewelry was based on health and safety reasons. However, two different coaches admitted that they did not know the rationale for the rule against earrings. One of them explained that the rule has caused “discontent” among the players and has been viewed as discriminatory because “kids want to know why,” and he has been unable to offer a satisfactory rationale. Several individuals observed that the rule prohibiting jewelry had recently changed, and earrings were now allowed. With respect to rules about hair, two coaches explained that they have commented on a player’s hair when unable to see his eyes. Both coaches explained “you need to be able to see the player’s eyes to be able to coach the player.”

Head Coach Ferentz stated the rules regarding jewelry and hats were eliminated in 2019. He also told investigators that his staff was instructed not to make any comments about hair or tattoos after receiving feedback from the Task Force report. In addition, after team meetings in June 2020, Head Coach Ferentz eliminated rules regarding personal appearance.

Head Coach Ferentz stated the rules regarding Twitter were also eliminated in June 2020. Prior to June 2020, players could use social media platforms but were not allowed to Tweet.

Each year in the spring, the Leadership Group of players on the team, typically made up of 10-14 upperclassman, would review the team rules with Head Coach Ferentz. During the past few years, the Leadership group has suggested changes which were approved and adopted for the following year. Head Coach Ferentz told investigators he wanted players to have input about the team rules.

One former player asserted that the coaches previously told them not to take a knee during the national anthem because they should “keep politics and football separate,” yet White players were allowed to wear MAGA hats and present an Iowa jersey to President Trump during his presidential campaign. One of the coaches interviewed could not recall anyone making the “politics” comment but confirmed that a football jersey was given to President Trump. Head Coach Ferentz confirmed that he previously believed it is better to keep politics and football separate when in a team environment. He told investigators that his views have changed recently and, moving forward, he wants the players to support and respect one another, even if they have different political views. Head Coach Ferentz also stated that when student-athletes are not in a team setting, he encourages student-athletes to engage in the political process. Both Athletic Director Barta and Head Coach Ferentz denied that any of the players attended the presidential campaign event on behalf of the Iowa football program. Both stated they only became aware that players attended the event after the event had concluded.

## Treatment of Players

Numerous current and former players raised concerns about sleep bands (discussed below) and body weight, although only one former player and none of the current players interviewed correlated such concerns to race. Rather, the concerns expressed primarily related to general mistreatment, with one current player explaining that both items were used by coaches to “beat you down and hound you.” Several players told investigators that the message from coaches about the rules appeared to be “if you don’t like how we do things you can leave.”

### *Making Weight*

Numerous players discussed the pressure they felt to maintain the requisite weight. Two players (one current, one former) reported that coaches subjected them to unfair and unreasonable weight expectations after being sick, leaving the current player concerned he would be kicked out of the program. The current player said that a White player who was sick and lost weight was treated more favorably.

One former player said that he was so anxious about making weight that he involuntarily threw up every morning before weigh-in. This same former player also said that the coaches would require him to eat in front of them. A different former player said he was required to drink excessive Powerade and shakes to gain weight, which made him sick daily. Other former student-athletes said players were weighed weekly and needed to meet their goal weight within a designated window. According to one of the coaches, there is a two-pound window for making weight, except after long breaks when the window is larger. He told investigators that no allowances were made for injuries or sickness. The former player who had trouble gaining weight after being sick said a coach told him “you don’t care, you are lazy.”

A current player identified that it is difficult for him to maintain his body weight over breaks, because he does not have the same access to food when he is at home for extended periods. The player stated that he works out hard when he is at home but cannot consume adequate

calories, thus he returns to campus underweight. According to the player, the coaching staff questioned his commitment to the Iowa program.

One of the coaches confirmed that the strength and conditioning staff was “strict on body weight” and that players had anxiety about body weight. Those players who were underweight reported being yelled at and placed on a “shake list” every week. If players were under weight, they were required to “pound shakes,” and if they were over their target weight, they did extra conditioning. One coach told investigators that Black players were held to a different standard after they were sick and lost weight.<sup>8</sup>

The strength and conditioning staff told investigators the weight requirements were used for the safety and wellness of the players. The staff denied that players were required to put on significant amounts of weight quickly after being ill, saying sports medicine staff was involved in such cases and would determine a safe progression for players to regain their optimal weight. The strength and conditioning staff denied determining the weights for players after they had been sick; only the sports medicine staff would make those determinations.

Head Coach Ferentz told investigators that moving forward, the target weight ranges would be expanded, and individual player weight goals would be established collaboratively between the player, assistant coach, strength and conditioning coach, and medical staff, if necessary.

### *Sleep Bands*

One coach explained the origin of sleep bands, telling investigators that they were initially used with only a few players to measure recovery. When the initial use was favorably received, the coaches started training the entire team on sleep hygiene. The players wore a sleep band at night to measure their sleep and the information went into a database that was reviewed daily by the strength and conditioning staff.

Many players described having to wear sleep bands to track their sleep, which they said was a very negative experience and caused “lots of anxiety.” A coach explained that, if someone had bad sleep for multiple nights, the poor sleep was “called out” in front of the team, and the player would be in trouble. Head Coach Ferentz agreed that players may have been “called out” in front of the team. He told investigators that player feedback should have been provided more discreetly. Moving forward, he stated that sleep bands will be used only on an educational basis and all player feedback will be given privately.

Several players and coaches told investigators that the coaches maintained a “sleep list,” and the ten players with the least amount of sleep for the week were required to have a meeting with the strength and conditioning staff. Several former players and one coach indicated that it was a demeaning and hurtful thing to be on the sleep band list, and it added to the anxiety of

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<sup>8</sup> This coach said he never told anyone due to fear of retaliation.

all the players. One former player observed that Black players were always on the list every week.

A former strength coach told investigators sleep bands were used as a positive tool to improve player sleep habits. He stated: “not one time in the history of Iowa football was anyone ever disciplined for sleep.” When asked about player allegations that the 10 “worst sleepers” were “called out” and punished, the former strength coach said that he met individually with players to discuss their sleep information, and it was not intended to be disciplinary; he provided both positive and corrective feedback. The former strength coach emphasized that players were never disciplined, and the data was used only for the health and well-being of the student-athletes. He could not recall any players expressing anxiety about using the sleep bands.

Head Coach Ferentz told investigators sleep bands will only be used as an educational tool moving forward. He will be the only coach to receive the data about a player’s sleep and will only speak to a player regarding his sleep in a private setting.

### *Differential Treatment of Black Players*

Numerous current and former players of various races told investigators that Black players were treated differently than White players, predominantly through differential punishment for perceived rule violations. One current player said Black players “take a lot of heat.”

### *Differential Punishment*

Numerous former players said Black players received harsher treatment than White players in both the frequency and severity of punishment. One current Black player gave an example of being treated differently than White players, describing an incident where he was yelled at extensively, kicked out of training, and required to do 10 hours of community service for spitting on the turf—whereas he indicated White players did not receive this response to spitting. According to the player, White players have spit “plenty of times” on the turf and not been “cussed at” or thrown out of a weight training. This player’s recollection was supported by a former coach and two current players who witnessed the incident and observed White players engaging in similar behavior without punishment. In contrast, one former player and one coach said White players were also disciplined for spitting on the turf.

A second current player said that he was chastised for singing and dancing at practice whereas similar behavior from his White teammates went unnoticed. A former player also gave an example of Black players being punished by being required to repeatedly run a drill in which they run right at one another and collide.

One of the coaches confirmed that there is a feeling among Black players that, although the rules are the same, there are disparities in the impact of the rules. This coach told investigators that he brought the treatment of players up to Head Coach Ferentz a couple times over the last four years with no resulting change.

### Verbally Abusive Behavior

Several former players also described being subjected to verbally abusive behavior. One current Black player told investigators when he first joined the team, coaches told him he would never play, he was "shit for brains," and he was a "dick head." The player said such treatment "definitely fuc\*\*\* with his head for a bit." A different former player told investigators it "seemed like every Black player had two strikes the day we entered Iowa... I was either a criminal or a dumb motherfu\*\*\*\* to these guys."

### Drug Testing Concerns

Numerous individuals also raised more frequent drug testing of Black players as a concern. Athletic Director Barta told investigators he became aware of these complaints in June 2020 and he and his staff have started a review of the Department's testing protocols and will work with the outside vendor, Aegis, to improve the process. The Program Manager in charge of student-athlete drug testing told investigators that testing staff does not know the race of individuals selected for testing. Student-athletes are tested randomly and if they have previously tested positive or produced a diluted sample they may be selected for further testing. The Program Manager reviews the lists of players selected for testing and removes individuals who have been tested more frequently. She explained that the Head Coach may also request that specific players be tested, but the coach must have a legitimate reason for making such a request and the request must be reviewed and approved by the supervising physician before the player will be tested.

Head Coach Ferentz acknowledged that changes need to be made to the program's drug testing policy, but he denies that Black student athletes are tested at a higher rate. He reviewed the testing data from the 2019-20 academic year and determined that three players were tested three times. Of those three players, two were White and one was Black. He identified additional ways that the testing program could be improved to provide more privacy to players. Currently, the Program Manager administers the testing program within the football building, and Head Coach Ferentz intends to remove testing from inside the football building moving forward.

### Reports of No Experience or Observation of Differential Treatment

The majority of coaches said they observed nothing indicating differential treatment based on race. Several current players of color said that they were not personally treated differently than other players because of their race but recognized that other players may have had different experiences. Several current players, predominately White, said that they have never witnessed Black athletes being treated differently than White athletes by any member of the coaching staff.

### Statements About Prior Reporting

Most of the coaches said that they received no complaints from players about being treated differently based on race. Except for the one coach described above, none of the individuals interviewed said they raised concerns about differential treatment due to a fear of facing repercussions. One current player explained that players were scared to come out with this because they were afraid of the treatment they would receive. Another current player said he was “happy it all came out,” and he had “a sigh of relief when everyone started to write what he was feeling.” One coach said that conversations about equitable treatment began after the George Floyd murder, during which time one player raised concerns about differential application of the rules.

### Allegations Regarding NFL Draft Prospects

Numerous players mentioned a member of the coaching staff’s close connections with the NFL and his influence over their draft prospects. They believed the coach wielded complete control over which players could speak with NFL scouts and that he was able to “make or break” their professional careers. One former player told investigators that race influenced whether a player was discussed with the NFL and eventually drafted. Numerous former players alleged that the coach used his influence with NFL scouts to “blackball” players, mostly Black players, whom he did not like. The allegation that the coach would “blackball” players was repeated by one coach, who did not address whether race influenced this; he said that the coach tried to “blackball” players with the NFL or negatively impact their prospects.

One former player who plays professionally in the NFL told investigators that coaches told NFL scouts he was “not a team guy and had an attitude issue.” A second former player told investigators that his current NFL team informed him that a coach said negative things about him, telling scouts he was a “toxic player” and would “ruin their team.” According to this former player, a coach also told scouts he was “cocky, irresponsible, and arrogant.” The former player also told investigators that an NFL scout told him at his Pro Day<sup>9</sup> that a coach characterized him as “undraftable.” Finally, this former player noted to investigators that one of his teammates, who did not get along with this coach, was drafted lower than expected, the implication being that his prospects were negatively impacted by the coach. Both players, one Black and one White, stated that they received similar treatment by the coach with NFL scouts.

Several former players also identified what they believed to be an implicit requirement that they train for the NFL Combine and Iowa’s Pro Day in the facility. The players explained it is common for NFL hopefuls to travel to sports performance facilities to prepare for workouts with NFL scouts and personnel. However, the players believed that, if they left Iowa, coaches would provide negative feedback about them to NFL scouts. One player indicated that the

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<sup>9</sup> Iowa, like most Universities, conducts an annual Pro Day, where NFL scouts visit its facility and watch players participate in the same drills conducted at the NFL’s scouting combine. The Pro Day is essentially a job fair for draft eligible players.

program did not explicitly state that he required them to prepare for the NFL workouts on campus, “but everything around you is saying it.” The player added, “the bird on the top of the building was saying, ‘you better train here.’”

Coaches denied making negative statements about players to NFL Scouts. One coach stated, “I make it a habit to never, ever say a negative word about anybody on our football roster, ever. Just always point out the positive and let the NFL scouts watch the film and make their determinations.” The coach was told that some players believed that they were drafted lower by their NFL teams because of comments that he made to NFL scouts, and the coach responded, “Didn’t happen.” The Coach told investigators that he never told a scout that a player was “undraftable.” He also denied making negative statements about the program or players to NFL scouts. Athletic Director Barta told investigators he has never received any information to suggest that NFL scouts were told Iowa players were “undraftable.” Head Coach Ferentz told investigators he has received no information from anyone in the NFL to suggest that a coach has used the term “undraftable” to describe a player to NFL scouts. He also stated that it would be “counter-intuitive” for a coach to say negative things about players to NFL scouts. Based on his own experience in the NFL, Head Coach Ferentz emphasized that scouts make decisions about players on their own.

## Retention of Black Players

Current and former players and coaches shared their opinions on why the football program struggled to retain Black players. Numerous current and former players said that Black players left the program because they were unable to fit the Iowa “mold” or were uncomfortable being themselves. Other current and former players attributed the retention problems to what one player termed “constant ridicule” and the sense that coaches tried to “run off” players who do not conform to the Iowa Way. One current player explained that the feeling of having to “walk on eggshells” can be grueling and demanding on a player’s mental health. A different current player said that Black players are frustrated by all the rules when they arrive; the rules do not let players be themselves and many players cannot “deal with it.”

According to one coach, some players have transferred due to coaching changes and some “just didn’t want to put up with the program anymore.” This coach stated that the program is tough and at times players have had enough. In his view, although the program was tough on White players, it was harder for Black players. One former coach said that players left the football program for a variety of reasons; in his view, 90% were players with academic difficulties and the remainder had legal or conduct issues or wanted to play somewhere else.

The Associate Athletic Director for Compliance told investigators that no transferring player has said his transfer was due to racial issues when she met with him pursuant to NCAA requirements. Rather, she was typically told the player was transferring because of playing time. She also told investigators that because meeting with her was completely voluntary, many student athletes chose not to do so.

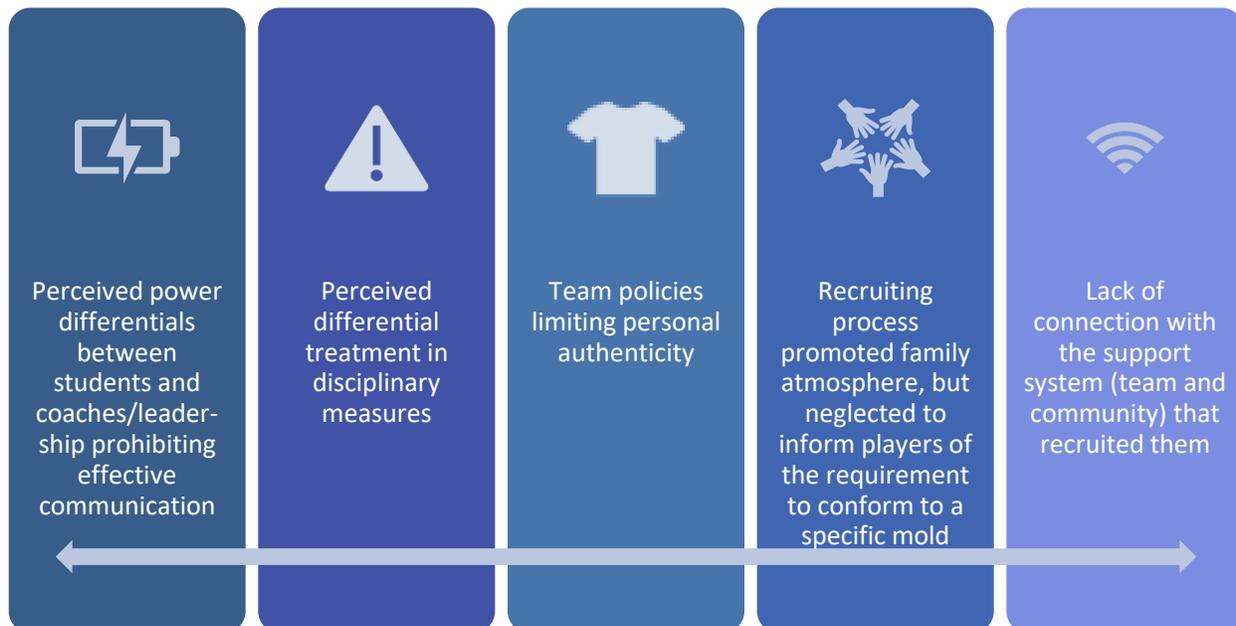
## 2018-2019 Diversity Task Force & Equity Concerns

### Background and Findings

The University established an Athletics Diversity Task Force in the spring of 2018 to review and address the retention rates of Black male student-athletes across athletic programs. The Task Force established a two-year timeline for its work, which was broken into three phases.<sup>10</sup> Phase I was completed in January 2019 and was intended to gain a better understanding of the experiences of Black male student-athletes. Phase II was intended to develop and implement an action plan to support the persistence and graduation of Black male student-athletes. Phase III is intended to include a review of outcomes resulting from the strategies and tasks outlined in the Phase II action plan.

In completing Phase I, the Task Force interviewed 24 current and former student-athletes and 26 staff members of varying levels. Those interviews revealed that, while Black male student-athletes reported generally positive experiences within the campus and general community, the following specific themes arose regarding differences in experience between Black student-athletes and White student-athletes:

#### Themes from Task Force Interviews



While the report does not identify the teams for which these concerns were most prevalent, individuals familiar with the Task Force told investigators that they were primarily related to

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<sup>10</sup> Information about the Athletics Diversity Task Force has been taken from the *UI Athletic Diversity Task Force Report* issued on March 29, 2019.

football. One employee who participated in the Task Force stated that football players identified a bullying culture within the football program. This employee also recalled Black players expressing concerns about not being able to be their “authentic selves” and that coaches made Black players feel unwelcome. A second employee who participated in the Task Force told investigators that they received many general comments from Black football players about not feeling welcome in the football building. This employee stated that the only specific comments they received referenced the weight room and players being demeaned and degraded for making mistakes. According to this employee, the Task Force was also told that Black players received harsher punishments than their White teammates. The investigators reviewed notes taken during Task Force interviews and found the following concerns expressed regarding racial inequities within the football program:

- Use of slang and jargon speaking to Black players
- Different rule enforcement for players based on race
- Different discipline for players based on race
- Different drug testing frequency based on race

Several strategies and critical tasks were set forth in the Task Force report to be accomplished during Phase II. They include the following action items to sustain and support the overall work of the Task Force as it relates to overall climate and opportunities for student-athletes to share their experiences:

- Establish an African American student-athlete advisory group that reports to the Athletic Director, the Big Ten Advisory Commission Representative, and the Associate Athletics Director for Student-Athlete Academic Services.
- Conduct a meeting twice per year between African American student-athletes and the President’s Office, the Associate Vice President for Diversity, Equity, and Inclusion, and the Vice President for Student Life.
- Utilize campus-wide metrics and tools to evaluate the departmental climate.
- Implement an accountability structure within the UI Athletics Diversity Plan that celebrates DEI successes, and establishes meaningful consequences.

Relatedly, one of the goals of the corresponding Athletics Department Diversity, Equity, and Inclusion Plan<sup>11</sup> is to “promote a welcoming climate that enhances the educational and work experience for all members of the Athletic Department.” Action items in support of that goal include the following:

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<sup>11</sup> The Plan was adopted on December 13, 2017 and updated in August 2018.

- Provide staff with educational and professional development training, focused on effective recruitment and retention strategies for underrepresented groups, including regular, required diversity and inclusion trainings for all Athletics staff.
- Annually distribute the Big Ten Advisory Survey data to the S-A Well Being Subcommittee of the Presidential Committee on Athletics.
- Annually inform student-athletes of the policies and procedures for seeking help if they believe they have experienced or witnessed harassment or discrimination.
- Continue to work with faculty and alumni groups to develop mentoring opportunities for student-athletes from underrepresented groups.

Athletic Director Barta told investigators that several staff members within the Department were tasked with creating and implementing action items to respond to the Task Force findings and support the Department's diversity efforts. He explained further that the Department took the following specific actions prior to June 6, 2020 and the start of this review:

- Held a meeting between Head Coach Ferentz and a group of Black players to discuss the findings of the Task Force Report and identify ways to improve the environment; rules regarding earrings and jewelry were relaxed as a result of that meeting;
- Conducted Department-wide education and training, including training about unconscious bias;
- Appointed Broderick Binns as Interim Director of Diversity, Equity and Inclusion;
- Appointed a learning specialist to assist student-athletes who experience academic challenges;
- Engaged the Dan Beebe Group to conduct in-person training for all student-athletes, coaches, and staff on topics such as appropriate coaching techniques and treatment of student-athletes and responding to issues and complaints within the Department. Training for student-athletes included resources and strategies to express concerns and/or file a complaint if uncomfortable approaching a coach or someone directly associated with the student-athlete's sport;
- Conducted annual, online anonymous surveys seeking feedback from student-athletes in all sports. The surveys were supplemented with in-person interviews of selected groups of student-athletes;
- Created a cultural resource guide for minority student-athletes; and

- Ensured that leadership training for student-athletes, coaches, and administrators included discussions around topics such as race and community activism, resulting in the development and adoption of a department-wide diversity, equity and inclusion pledge statement that was converted to a video.

Athletic Director Barta told investigators he honestly thought they had taken steps to fix the issues identified, but he now recognizes they have not done enough. Athletic Director Barta also expressed his understanding of the need to rebuild trust.

The Deputy Athletic Director and Sports Administrator (football) said the Athletics Department is working to address the issues and has created its own task force and Diversity, Equity, and Inclusion office. The Faculty Athletic Representative confirmed that the work from the Task Force is continuing and will expand its scope beyond graduation rates.

### Player and Coach Perceptions of the 2018-2019 Task Force

Most of the players and coaches interviewed by investigators knew very little about the 2018-2019 review. One former player said the Task Force group met with him and other players during which the players “told them the same things we are saying now.” According to the former player, Head Coach Ferentz was aware of the concerns, took notes, and met with the Black players. He stated the coaches listened but “did not take into account” what was said, leaving the impression they did not believe there was a problem. One former player told investigators that players had been afraid to say anything to the Task Force because of their perception that a particular coach was “always there” and would “make or break you” in the program. Another former player said he participated in the review and told them “some things but not all; enough to know there was a problem.” Numerous players said the only tangible change that resulted from the review was the ability of players to wear earrings.

Several coaches said they were aware of the report but had not been involved in the meetings. One coach said that there was a discussion in a coaches’ meeting about low graduation rates, but the discussion was limited to that topic. One coach said that Head Coach Ferentz met with a group of Black players in connection with the Task Force report and the “elephant in the room” was player treatment in the weight room. One football coach told investigators he participated in the review and met with the committee. He recalled the reason for the meeting was concern about graduation rates and attrition and that the coaching staff wanted to improve their empathy and understanding of cultural differences of the players in the program. The football coach also said the review resulted in a relaxing of certain aspects of the dress code (i.e., earrings) and a commitment from coaching staff to improve empathy and respect and support player individuality.

Head Coach Ferentz told investigators that he read the Task Force report and shared relevant information with his staff. He also held an initial meeting with approximately 10 players at the time to discuss the Task Force findings. He did not recall any players raising concerns about specific coaches during that meeting. Head Coach Ferentz also told investigators that he

intended to hold a second, follow-up meeting with his players but he “dropped the ball” and failed to do so. Head Coach Ferentz stated that one of the issues that came across “loud and clear” from the Task Force report was the players’ sense that they could not be themselves. He told investigators that issue was addressed last year when the coaching staff relaxed the rules around jewelry and hats.

## Recent Changes

Players and coaches cited to several recent changes as positive and hopeful signs that the program culture is improving. Current players report feeling comfortable to “speak up about things,” express their personalities, and be themselves. They told investigators that, after recent changes, the environment has become more open, there is more talking and laughing, and players are enjoying their workouts. Numerous current players also commented on the increased team unity. They remarked that coaches are listening to them and having open discussions about significant issues, including social justice issues such as whether the team will “take a knee” during the national anthem. Several players expressed their opinion that Head Coach Ferentz is open to listening and has been talking to the leadership group about these issues. Coaches also commented on the improved communication and their desire to listen and better understand the players. Head Coach Ferentz provided investigators with a copy of his action plan designed to improve program culture and which addresses a variety of topics including team building, personal expression, communication, body weight expectations, sleep bands, and team and game-day rules.

Players and coaches both reported that several rules have been relaxed around the use of social media, attire, hats, hair, and earrings. Players report being able to listen to more diverse music and show their tattoos.

Numerous players expressed their hope that the changes will be permanent and remain in place “after the headlines go away.” One current player said, “this is a big deal and they need to keep moving forward.” Several players expressed their opinion that Head Coach Ferentz is open to listening and has been talking to the leadership group about these issues. Others expressed skepticism and cautioned that it is hard to truly change culture and that for change to be permanent, it must come from Head Coach Ferentz and go “down the line.” Numerous players expressed their opinion that problems within the program are more widespread than just one coach and simply removing one coach will not fix the underlying problems. Other players worried that the changes are not genuine, and the coaches are “just covering their tracks.” One current player explained his concern about the program’s commitment to change, stating the players have raised concerns with Head Coach Ferentz in the past and, because he did not do anything at the time, the program may be waiting for things to “blow over” before they revert back to the Iowa Way. Several staff members noted that Head Coach Ferentz has been meeting weekly with the leadership committee to continue changes moving forward. He has also convened an advisory group of 10-12 former players with whom he has been meeting remotely to advise him on moving the program forward.

On June 6, 2020, Head Coach Ferentz issued the following announcement regarding the creation of an advisory committee: “There has been a call for a cultural shift in our program. Therefore, I am creating an advisory committee, chaired by a former player and made up of current and former players as well as department staff. This will be a diverse group that will be able to share without judgment so we can all examine where we are today and how we can have a better environment tomorrow.”

Head Coach Ferentz told investigators they have implemented numerous changes to the program over the last 6-7 weeks. He explained that “people are seeing things very differently now than they were before” and the program needed to change. He now sees the program through a different lens and recognizes it must be different than what existed in the past.

Athletic Director Barta summarized the following actions that the Athletic Department and football program have taken since June 6, 2020:

- Several discussions with current and former student-athletes have occurred related to complaints within the football program. The conversations are ongoing;
- The football coaches and team have met several times regarding program feedback;
- The football Leadership Group was expanded from 12 to 24 members in order to add more diversity in race and class rank. The group has met three times since June 6, 2020 and will continue meeting on a regular basis;
- Broderick Binns was appointed as the permanent Executive Director of Diversity Equity and Inclusion. In that role, he will work in collaboration with the Assistant Vice President for Diversity Equity and Inclusion;
- The Diversity Task Force met twice and is updating its mission and action plans to assist the Athletic Department moving forward. The Task Force changed its name to the DEI Accountability Group and is now overseen by Broderick Binns;
- Head Coach Ferentz created a former student-athlete advisory committee. To date, five meetings have occurred. Its purpose is to advise and assist Head Coach Ferentz moving forward and to improve program culture in the area of racial equity and fair treatment of all student-athletes; and
- The Athletic Department held two “Town Hall” virtual meetings focusing on education, listening, and learning in the areas of social injustice, racism, and hate.

## Diversity Training and Reporting Avenues for Equity Complaints

The Office of Diversity, Equity and Inclusion told investigators that all faculty and staff that are employed at least half-time are required to receive equity and diversity training once every three years. Coaches, staff, and student-athletes also receive annual training regarding “Human Relations Risks” through the Dan Beebe Group, now called PFA Consulting. The training programs offered to new and returning members of the football team include information about prohibited discrimination/harassment and reporting options. Each student-athlete is also provided a handout titled “Available Reporting Avenues and Other Resources for Human Relations Risks.” Contact information for the Office of Equal Opportunity and Diversity is included on the form.

As explained by Athletic Director Barta and the Associate Athletic Director, players may raise complaints within the Athletics Department with their position coach, head coach, sports administrators, or faculty athletic representatives. The Office of Diversity, Equity and Inclusion explained that, if employees receive a complaint of racial harassment, the University's anti-harassment policy requires a referral to that office.

The Office of Diversity, Equity and Inclusion told investigators that, as of the date of the interview, it had not received any complaints of discrimination or harassment, whether race or disability, involving the football program or any of its coaching staff. Similarly, the Deputy Athletic Director and Sports Administrator (football) reported that she has not received any complaints explicitly regarding race when conducting exit interviews with student-athletes. She has received comments from players about having to “check themselves at the door” and not be their genuine selves. The Deputy Athletic Director told investigators that players thought there were too many rules in the program, but not one said anything about the environment being discriminatory, nor did they provide specific details about individual coaches or situations.

Copies of anonymous end-of-season surveys conducted by the football program include reports by some players that they had been subject to bullying or hazing by a member of the coaching staff. While the surveys do not ask about racial issues directly, the reports do not include reports of racial concerns, nor do they include allegations of racial bias by a coach or racial incidents.

The following summary data from student athletes about their experiences in the program:

2018-2019:

- Strength and Conditioning Staff: received no ratings of “poor” or “below average”
- Head Coach: Over 90% responded “yes” to whether they would be comfortable approaching the coach with a personal (91.40%) or team (90.32%) concern
- Position/event/assistant coaches: 90.32% responded “yes” to whether they would be comfortable approaching the coach with a personal or team concern

- 4 players said they had been subject to bullying or hazing by a member of the coaching staff; 95.70% players responded they had not

2019-2020:

- Strength and Conditioning Staff: received no ratings of “poor” or “below average”
- Head Coach: 89.2% responded “yes” to whether they would be comfortable approaching the coach with a personal or team concern
- Position/event/assistant coaches: 91.18% responded “yes” to whether they would be comfortable approaching the coach with a personal or team concern
- 2 players said they had been subject to bullying or hazing by a member of the coaching staff; 98.04% players responded they had not

Athletic Director Barta told investigators that he examined the data from the end of season surveys and believed the changes from the 2018-2019 Task Force Report addressed issues within the program. He now understands more needs to be done and is putting together a plan to address the concerns and issues raised by current and former players.

## Conclusion

The current and former players who participated in this review described a range of personal experiences, both good and bad, within the Iowa football program. Many are passionate about the program and have had a positive and rewarding experience. Virtually all the players spoke positively about their position coaches and the influence those coaches have had on their lives, both personally and athletically. Yet numerous players described feeling unhappy and unwelcome, citing to a program culture that they perceive requires strict conformity and rigid adherence to the “mold” of an ideal player, a mold that many Black players felt they could never truly fit because it was built around the stereotype of a clean-cut, White athlete from a midwestern background. Additionally, numerous current and former players and coaches of all races described an environment in which a small number of coaches felt empowered to bully and demean athletes, especially Black athletes.

In sum, the program’s rules perpetuated racial or cultural biases and diminished the value of cultural diversity. The program over-monitored players to the point that they experienced heightened anxiety and maintained a culture that allowed a small group of coaches to demean players. We have separately provided four personnel reports to the University summarizing allegations of mistreatment made against current and former employees so that they may be addressed, as appropriate, pursuant to the institution’s personnel policies and procedures.

Importantly, current players and coaches were uniform in their view that the program has implemented immediate and positive changes since the inception of this review. Players are cautiously optimistic that the coaching staff is listening to their concerns and having genuine conversations with them around difficult and complicated issues. Finally, both the Athletic Director and Head Coach Ferentz expressed their commitment to rebuild trust with players and

foster an environment that embodies the Department's values of diversity, equity and inclusion.

We recommend that the University work with Athletic Director Barta and Head Coach Ferentz to create action steps aimed at improving the culture of the program, eliminating biases, encouraging student-athletes to report concerns of mistreatment, and amplifying the University's policy statement against retaliation within the football program.