

# PRAY TO PLAY: THE TERMINATION OF BECKIE FRANCIS

by

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## I. Introduction

Oakland University (Oakland) was founded in 1957 as a satellite school to Michigan State University.<sup>1</sup> The university was originally named Michigan State University – Oakland.<sup>2</sup> The school was renamed Oakland University in 1963 and is a public institution.<sup>3</sup> In 1970, the university was granted autonomy from Michigan State and became independent.<sup>4</sup> Oakland has an approximate enrollment of 19,740 students, has 139 baccalaureate degree programs and 125 graduate degree and certificate programs.<sup>5</sup> Oakland's motto is "Seek virtue and knowledge."<sup>6</sup>

Oakland athletics participate at the Division I level.<sup>7</sup> Previously known as the Pioneers, the teams now are known as the Golden Grizzlies.<sup>8</sup> Oakland was part of the Summit League from 1998 to 2013. In September 2013 it was announced that Oakland was moving to the Horizon League.<sup>9</sup>

During the 2012 Republican presidential primaries, Oakland hosted a debate between Republican presidential candidates on November 9, 2011. CNBC televised the debate nationally and the Michigan Republican Party co-sponsored the debate with CNBC.<sup>10</sup>

Beckie Francis (Francis) was an often honored and very successful women's basketball coach both on and off the court at Oakland.

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<sup>1</sup> OAKLAND UNIVERSITY, <http://www.oakland.edu/?id=15&sid=19>.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> OAKLAND UNIVERSITY (May 2, 2013), <http://www.oakland.edu/fastfacts>.

<sup>6</sup> OAKLAND UNIVERSITY, <http://www.oakland.edu/?id=1616&sid=19>.

<sup>7</sup> OAKLAND UNIVERSITY (May 2, 2013), <http://www.oakland.edu/fastfacts>.

<sup>8</sup> OAKLAND UNIVERSITY, *How OU Became the Golden Grizzlies*, <http://www.oakland.edu/?id=1617&sid=19>.

<sup>9</sup> Mark Vest, *Oakland University athletics celebrates move to Horizon League*, CANDGNEWS.COM (July 19, 2013), <https://www.candgnews.com/sports/oakland-university-athletics-celebrates-move-horizon-league>.

<sup>10</sup> Jonathan Oosting, *Who stood out at GOP debate? Oakland University faculty, students weigh in (poll)*, MLIVE.COM (Nov. 10, 2011),

[http://www.mlive.com/news/detroit/index.ssf/2011/11/who\\_stood\\_out\\_at\\_the\\_gop\\_debat.html](http://www.mlive.com/news/detroit/index.ssf/2011/11/who_stood_out_at_the_gop_debat.html).

Francis' college career started as a player at Colgate University (Colgate) where she was a four year starter and three year captain.<sup>11</sup> She finished her playing career as Colgate's fourth-leading scorer with 1,229 points and second-leader in assists with 403 at the guard position.<sup>12</sup>

Her first coaching job was at the University of Buffalo (Buffalo). As the top assistant coach her duties included coordinating recruiting and counseling student athletes.<sup>13</sup> She also helped transition Buffalo from Division II to Division I during her four years with the program.<sup>14</sup>

Francis furthered her coaching career when she accepted her first head coaching position at Stony Brook University. Here she held a 30 win and 48 loss record and helped the university transition from Division III to Division II.<sup>15</sup>

It came as no surprise when Oakland, a university planning to transition from Division II to Division I, hired Francis to be their head coach on July 1, 1997.<sup>16</sup> Francis' career at Oakland was extremely successful. As head coach, her team won three regular season conference titles, two conference tournament titles, posted five 20-win seasons, and advanced to the Women's National Invitation Tournament (WNIT) once and the NCAA Tournament twice. These advancements were the only two tournament appearances in school history.<sup>17</sup>

Francis not only succeeded on the basketball court but was a leading community figure and role model. Oakland's website acknowledges under Francis' profile, "Francis has also been honored individually as a role model for young women."<sup>18</sup> She was recognized as an Esteemed Woman of Michigan in 2010, was an advisor for the Fellowship of Christian Athletes at Oakland, and was invited to be a board member of CARE House of Oakland County, the local children's advocacy center.<sup>19</sup>

In an interview with the Associated Press in October of 2012, Francis revealed that she had been sexually abused by her father between the ages of 4 and 13.<sup>20</sup> This past winter, she testified before the Michigan House of Representatives in support of Erin's Law, which would allow schools to educate students about sexual abuse.<sup>21</sup> Francis' actions resulted in her being awarded the Pat Summit Most Courageous Award, given by the U.S. Basketball Writers Association at

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<sup>11</sup> John Painter, *Where Are They No: Beckie Francis '87*, GOCOLGATERAIDERS.COM (Oct. 22, 2012), [http://www.gocolgateraiders.com/news/2012/10/12/WBB\\_1012120312.aspx](http://www.gocolgateraiders.com/news/2012/10/12/WBB_1012120312.aspx).

<sup>12</sup> *Id.*

<sup>13</sup> OAKLAND UNIVERSITY, [http://www.ougrizzlies.com/sports/w-baskbl/mtt/francis\\_beckie00.html](http://www.ougrizzlies.com/sports/w-baskbl/mtt/francis_beckie00.html).

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

<sup>18</sup> *Id.*

<sup>19</sup> *Id.*

<sup>20</sup> Associated Press, *Beckie Francis: I Was Abused by Dad*, ESPN.COM (Oct. 18, 2012), [http://espn.go.com/womens-college-basketball/story/\\_/id/8518718/beckie-francis-oakland-golden-grizzlies-coach-says-father-sexually-abused-her](http://espn.go.com/womens-college-basketball/story/_/id/8518718/beckie-francis-oakland-golden-grizzlies-coach-says-father-sexually-abused-her).

<sup>21</sup> Mick McCabe and Mark Snyder, *Players' Shocking Allegations Against Former NCAA Women's Basketball Coach*, USATODAY.COM (July 21, 2013), <http://www.usatoday.com/story/sports/ncaaw/2013/07/21/oakland-university-fired-coach-beckie-francis-special-report/2573613/>.

the 2013 Women's Final Four, for demonstrating extraordinary courage while facing adversity in life.<sup>22</sup>

Apart from Francis' work as a role model and communal figure, she also led her basketball team to multiple academic honors. Oakland's women's basketball team has made the Women's Basketball Coaches Association (WBCA) Academic Top 25 Honor Roll for six consecutive seasons heading into 2013.<sup>23</sup> The team currently has a multiyear Academic Progress Rate of 991/1000 which ranks in the top twenty percentile among Division I teams.<sup>24</sup>

Francis was suspended on May 30, 2013 without pay after what Oakland said was an "internal review."<sup>25</sup> Two weeks later on June 12, 2013, she was fired just two hours after Oakland announced that her husband, University President Gary Russi (Russi), would be stepping down as of July 1, 2013.<sup>26</sup> Oakland issued a statement about the firing which said in part: "Indication of conduct and behavior of the women's basketball head coach, that if true could be malfeasance and materially adversely affect the orderly or efficient operation of the women's basketball program, came to the attention of an Oakland University administrator in April."<sup>27</sup>

Francis' was fired "for cause" by Oakland.<sup>28</sup> At the time of her firing, Francis ranked second all-time at Oakland in career wins with 218 and third all-time in conference winning percentage with a mark of .687. Francis was also the highest paid coach at Oakland.<sup>29</sup>

Since Francis' firing and Russi's retirement in early June 2013, there has been much controversy over the practices of Francis and the fact that the entire university, including the athletic department and athletic director, were overseen by Russi.<sup>30</sup> Russi was the longest serving university president in the state of Michigan, holding the position since June 6, 1996.<sup>31</sup>

## II. Accusations

Shortly after Francis was fired, more light began to be shed on the incidents leading to Oakland taking decisive action. At least 15 former players and persons familiar with the Oakland program came forward to the Detroit *Free Press* in interviews, where they expressed very critical views of Francis and her coaching practices.<sup>32</sup>

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<sup>22</sup> *Id.*

<sup>23</sup> OAKLAND UNIVERSITY, [http://www.ougrizzlies.com/sports/w-baskbl/mtt/francis\\_beckie00.html](http://www.ougrizzlies.com/sports/w-baskbl/mtt/francis_beckie00.html).

<sup>24</sup> *Id.*

<sup>25</sup> Kampe, *supra* note 14.

<sup>26</sup> *Id.*

<sup>27</sup> McCabe, *supra* note 18.

<sup>28</sup> Paul Kampe, *Mystery Surrounds Departure of Oakland University President Gary Russi and Wife Beckie Francis*, THE OAKLAND PRESS (Sept. 3, 2013), <http://www.theoaklandpress.com/general-news/20130619/mystery-surrounds-departure-of-oakland-university-president-gary-russi-and-wife-beckie-francis>.

<sup>29</sup> OAKLAND UNIVERSITY, [http://www.ougrizzlies.com/sports/w-baskbl/mtt/francis\\_beckie00.html](http://www.ougrizzlies.com/sports/w-baskbl/mtt/francis_beckie00.html).

<sup>30</sup> *Id.*

<sup>31</sup> Megan Semeraz, Paul Kempe, Dylan Dulberg, *Oakland University's Gary Russi Leaves Legacy of Expansion*, THE OAKLAND PRESS (Sept. 4, 2013), <http://www.theoaklandpress.com/general-news/20130801/oakland-universitys-gary-russi-leaves-legacy-of-expansion?viewmode=default>.

<sup>32</sup> McCabe, *supra* note 18.

Common complaints included:

1. Fixated on player's weight, to a point that photos were taken of players in their sports bras and Spandex to chart body changes and that some players developed eating issues and only skinny girls played.<sup>33</sup>
2. Pushed her religious beliefs by insisting players attend church services on trips and showing Christian-based videos on bus rides, resulting in religious intimidation and bullying.<sup>34</sup>
3. Instituted an unspoken but enforced "pray to play" rule.<sup>35</sup>
4. Engaged in intimidation and emotional abuse, "head games" far beyond common motivational methods used by coach resulting in an abuse of power.<sup>36</sup>
5. Obsessed with girls' sexual purity -- "No fat sluts" rule, and penalized players with social lives by benching them.<sup>37</sup>

A common theme amongst those interviewed was that they felt powerless because Francis was married to the president of the university. They felt as if they could not complain because it was useless. According to the interviews, no one challenged Francis because she had the ultimate job security.<sup>38</sup> "The problem was she was the wife of the president," said a former player who remained anonymous.<sup>39</sup> "It was so frustrating because you couldn't run to anyone. Tracy (AD) couldn't do anything; the assistant coaches couldn't do anything because at the end of the day, their boss went home to her."<sup>40</sup>

Stacey Farrell (Farrell), Karli Harris (Harris), and Jenna Bachrouche (Bachrouche) were the three former players who publicly came forward with accounts of the abuse they suffered under Francis as players. All three players left the program early.<sup>41</sup>

Farrell was an incoming freshman at Oakland in the summer of 2007 and was an All-State guard from St. Claire Michigan High.<sup>42</sup> According to Farrell, Francis called her in along with the other freshman players to give them some handouts on expectations for the upcoming season. While in this meeting with the freshman, Francis reportedly told them, "We don't fraternize with the men's team. By the way, are you guys Virgins? You guys are virgins, right? You haven't had sex, right?"<sup>43</sup> Farrell stated that she later learned from the older players this was a recurring

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<sup>33</sup> *Id.*

<sup>34</sup> *Id.*

<sup>35</sup> *Id.*

<sup>36</sup> *Id.*

<sup>37</sup> *Id.*

<sup>38</sup> *Id.*

<sup>39</sup> *Id.*

<sup>40</sup> *Id.*

<sup>41</sup> *Id.*

<sup>42</sup> *Id.*

<sup>43</sup> *Id.*

message aimed at incoming freshman by Francis.<sup>44</sup> Five former players also stated in interviews that they were part of similar meetings in which this message was advanced.<sup>45</sup>

Farrell was given advice from the older players. "If anyone asks, you are a virgin. You are Christian. You do not drink. You do not smoke. You do not talk to guys. You sit in your dorm room and study. And, above all, you also watch what you eat."<sup>46</sup>

Harris, who transferred after one season under Francis, said the coach's behavior was borderline harassment.<sup>47</sup> According to Harris, Coach Francis focused her attention on the player's weight, GPA, social life, and whether or not they attended church services.<sup>48</sup> "Every single person, whether they played 40 minutes or two minutes, went through something with her. No one was immune."<sup>49</sup> "It was everyday," Harris said. "It was so stupid. Looking back, it had nothing to do with basketball. The focus on basketball was eight percent of her energy. The rest is wasted on other stupid trivial things. It was just head games -- constant head games."<sup>50</sup> Harris transferred to Davenport where she became an All-American as a senior.<sup>51</sup>

Bachrouche, who transferred after two seasons, stated she was emotionally abused by Francis and endured religious intimidation because she was Muslim and Francis was Christian.<sup>52</sup> She also stated that her weight was constantly criticized by Francis, who even challenged her to a weight loss contest. "I got stressed out just thinking about talking to her or going to practice or having something to do with basketball. My academics suffered."<sup>53</sup> Weight became such an issue with Francis that last summer, players were asked by an assistant coach, under orders from Francis, to take off their clothes and pose for pictures flexing their muscles, front and back, wearing only underwear.<sup>54</sup> They were told these were to be before-and-after photos to show body changes.<sup>55</sup>

Bachrouche believed that Francis was trying to convert her from being a Muslim to being a Christian. The team was forced to watch religious movies on the road, including testimony of Francis given at her church.<sup>56</sup> The team was encouraged to attend church services with Francis on the road and stated they would not play if they did not attend the services. Bachrouche also said she was forced to attend a Christmas party at Francis' home where Bible verses were read.<sup>57</sup> Many players, including Bachrouche and Harris, reported that endorsing Francis' religious overtones was directly related to playing time. "If you're not a devout Christian that goes to FCA

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<sup>44</sup> *Id.*

<sup>45</sup> *Id.*

<sup>46</sup> *Id.*

<sup>47</sup> *Id.*

<sup>48</sup> *Id.*

<sup>49</sup> *Id.*

<sup>50</sup> *Id.*

<sup>51</sup> *Id.*

<sup>52</sup> *Id.*

<sup>53</sup> *Id.*

<sup>54</sup> *Id.*

<sup>55</sup> *Id.*

<sup>56</sup> *Id.*

<sup>57</sup> *Id.*

(Fellowship of Christian Athletes) and goes to church every week and wants to pray constantly,” Harris said, “you’re not going to play if you’re different in any way.”<sup>58</sup>

Bachrouche recalled instances of Francis exercising religious intimidation.

In October 2011, Francis told the team it was going to watch film. Before the players entered the film room, Francis pulled Bachrouche aside and said: "Jenna, we're going to be watching my testimony in church. I think it would be really, really, really good for you if you came in and watched it. But you don't have to, but I think it would be a really, really, really good idea if you did." Bachrouche felt pressured to say yes.<sup>59</sup>

Francis hosted a Christmas party at her home. Attendance was mandatory. She had a player read "The Christmas Story" directly out of the Bible, which made Bachrouche feel uncomfortable.<sup>60</sup>

On a trip to play Southern Utah, Bachrouche said Francis told a restaurant owner in Las Vegas that "we're a Christian basketball team."<sup>61</sup>

Those aren't all the infractions but, in a conversation that must have been nerve-wracking, Bachrouche eventually told the school's athletic director about the situation. He apologized, helped her transfer into Western Michigan, and eventually fired Francis.<sup>62</sup>

Bachrouche transferred after her second season to Western Michigan and was granted a waiver by the university allowing her to play right away at her new school.<sup>63</sup> The three former players, who all left the school early, were not alone. Under Francis' 13 year reign at Oakland, 36 players of the 170 listed on rosters left the program early.<sup>64</sup> In the last two years, seven players transferred. This is alarmingly high for a basketball team which usually has around 15 players on an active roster.<sup>65</sup> The amount of transfers from the women's basketball program was double that of the men's basketball team during the same 13 years when Francis was at the school.<sup>66</sup>

According to the players who have spoken to the media (current players have been strictly prohibited from doing so), Coach Francis' coaching methods during her 13-year tenure went beyond "hardass running a tight ship;" the woman was downright terrifying. Picture the coaching equivalent of *Whatever Happened to Baby Jane?* meets the crazy ball-chucking

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<sup>58</sup> *Id.*

<sup>59</sup> Hemant Mehta, *After Basketball Coach Gets Fired, a Former Player Speaks Out About the Coach's Excessive Proselytizing*, PATHEOS.COM (June 27, 2013), <http://www.patheos.com/blogs/friendlyatheist/2013/06/27/after-basketball-coach-gets-fired-a-former-player-speaks-out-about-the-coachs-excessive-proselytizing/>.

<sup>60</sup> *Id.*

<sup>61</sup> *Id.*

<sup>62</sup> *Id.*

<sup>63</sup> McCabe, *supra* note 18.

<sup>64</sup> *Id.*

<sup>65</sup> *Id.*

<sup>66</sup> *Id.*

Rutgers dude meets Reese Witherspoon's character from *Election* meets Michele Bachmann. Now picture that character forcing you to go to church with her.<sup>67</sup>

Francis' firing is shocking given her yearly performance reviews. In 2002, former AD Jack Mehl wrote: "Beckie Francis has a great sense of the importance of building self-worth in her student-athletes. Kids come first with Beckie followed by systems. Beckie is my most loyal staff member." Tracy Hugh, the current athletic director, also had high praise for Francis in annual evaluations. On May 2, 2007, he wrote in a section about what Francis did well: "Represented the women's program, athletics department and university at all times in the highest regard." On her reviews in 2008-11 under supervisor's overall rating, Hugh wrote: "Outstanding: Performance consistently far exceeds job requirements."<sup>68</sup>

The American Civil Liberties Union of Michigan has sent Oakland a letter demanding that the university discontinue its practice of preventing student-athletes from discussing their treatment under Francis. A condition of the university's student-athlete handbook stipulates student-athletes not speak with the media without the prior consent of the Athletic Communications Department. The Oakland Press has been prevented from speaking with current players since Francis' firing June 12. The letter addressed to interim president Betty Youngblood and director of athletics Tracy Huth stated: "We are writing to express our concern that you and/or the Athletic Communications Department at Oakland University may be unconstitutionally preventing the current members of the Oakland University women's basketball team from speaking to reporters about the abuse of discrimination they may have suffered at the hands of their former coach Beckie Francis . . . Especially given the recent revelations about abuses by the Rutgers basketball coach and other coaches across the country, this issue is a matter of intense public concern. While student-athletes cannot and should not be required to speak to the press, they have a First Amendment right to do so if they wish. Students should be allowed to comment on this matter, if they so desire, without fear of reprisal."<sup>69</sup>

In July of 2013, Oakland University President Betty J. Youngblood addressed the allegations aimed at Francis.

"I want to assure you that protecting the freedom of religious, cultural, political, and other forms of expression has been and always will be a high priority at Oakland," the statement read. "At the same time, we hold that freedom from the imposition of others' views is equally crucial. As soon as allegations of religious discrimination came to light, the university acted swiftly to investigate. The university did not tolerate such conduct and will not tolerate such conduct moving forward. As a campus community, we will continue to celebrate cultural diversity, inclusion, tolerance and understanding, as well as encourage the expression of all views within the context of appropriate times, places and manner. We will honor every individual's right to

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<sup>67</sup> Erin Gloria Ryan, *Nightmare NCAA Basketball Coach Fired Over 'No Fat Sluts' Rule*, JEZEBEL.COM (July 22, 2013), <http://jezebel.com/nightmare-ncaa-basketball-coach-fired-over-no-fat-slut-865831188>.

<sup>68</sup> McCabe, *supra* note 18.

<sup>69</sup> Paul Kampe, *ACLU notice to Oakland University: Athletes free to talk to press*, MACOMBDAILY.COM (Sept. 13, 2013), <http://www.macombdaily.com/general-news/20130913/aclu-notice-to-oakland-university-athletes-free-to-talk-to-press>.

free expression and freedom from imposed expression without fear of reprisal, ridicule or harm."<sup>70</sup>

Francis responded to Youngblood's statement as follows: "Even though it's tempting to comment on allegations about me, out of respect for the privacy of the student-athletes and others, I will continue to focus my energies on future endeavors and on making a difference. I wish Oakland University the best."<sup>71</sup>

### **III. Beckie Francis' Employment Contract - For Cause Termination**

Francis' most recent employment contract with Oakland University to be the head women's basketball coach was executed on July 1, 2009 and was to terminate on June 30, 2014.<sup>72</sup> Her base compensation was \$120,000.<sup>73</sup> The contract also states "[t]he Athletics Director will review the Head Basketball Coach's base annual salary each year, and salary increases and decreases, if any, will be at the Athletic Director's sole and absolute discretion."<sup>74</sup> In addition to Francis base salary, she was eligible to receive multiple performance bonuses<sup>75</sup>:

- Conference Regular Season Champion – 5% of base annual salary
- Conference Tournament Champion – 10% of base annual salary
- NCAA Tournament Wins – 10% of base annual salary per win
- NIT Post Season Appearance – 5% of base annual salary
- NIT Wins – 5% of annual salary per win
- Alternate Post Season Tournament Appearance – 5% of annual salary
- Academic Performance Rate for Women's Basketball Players:
  - 950-975 – 5% of base annual salary
  - 976-990 – 10% of base annual salary
  - 991-1000 – 15% of base annual salary

The termination provisions of Francis' contract state "the Head Basketball Coach's employment can be terminated with or without cause and with or without notice at any time and in the University's sole and absolute discretion."<sup>76</sup>

There are financial implications to being fired "for cause" compared to being fired "without cause." Under Francis' contract, if she was fired "without cause," she may be eligible to receive severance payments in an amount equal to twelve months of the Head Basketball Coach's then base annual salary.<sup>77</sup>

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<sup>70</sup> Paul Kampe, *Oakland University president addresses allegations about former coach Beckie Francis*, THE OAKLAND PRESS (Sept. 3, 2013), <http://www.theoaklandpress.com/general-news/20130724/oakland-university-president-addresses-allegations-about-former-coach-beckie-francis?viewmode=4>.

<sup>71</sup> *Id.*

<sup>72</sup> Beckie Francis Employment Contract Paragraph 2 – Obtained through FOIA Request. On file with Author.

<sup>73</sup> *Id.* at Paragraph 5a.

<sup>74</sup> *Id.*

<sup>75</sup> *Id.* at Paragraph 5b.

<sup>76</sup> *Id.* at Paragraph 12.

<sup>77</sup> *Id.*



If Francis was fired “with cause,” she is not eligible to receive severance.<sup>78</sup> According to Oakland, Francis was fired with cause meaning she violated a provision of her contract.<sup>79</sup> Under the “termination with cause or resignation” provision in Francis’ contract:

“Cause includes without limitation: performance, conduct or behavior, whether by act or omission, that the Athletics Director determines interferes with the Head Basketball Coach’s duties, materially adversely affects the orderly or efficient operation of the program, the Athletics Department or the University or materially detracts from the reputation, image, or respect of the Program, the Athletics Department or the University, even if off-duty or off premises.”<sup>80</sup>

Oakland fired Francis for cause. This would lead one to believe that Oakland believed her behavior towards her players adversely affected the orderly or efficient operation of the program and/or materially detracted from the reputation, image, or respect of the program. This is substantiated by the previously mentioned statement made by the University that “indications of conduct and behavior of the women’s basketball head coach, that if true could be malfeasance and materially adversely affect the orderly or efficient operation of the women’s basketball program, came to the attention of an Oakland University administrator in April.”<sup>81</sup> This statement was made prior to an internal investigation which afterwards led to Francis firing.

It should be further noted that the NCAA stated there has not been any recent reports of NCAA violations at the university and Oakland Assistant Athletic Director stated that he was unaware of any ongoing investigation by the NCAA.<sup>82</sup>

Coaches’ representative and advocate Dr. Thom Park, had this to say about the Francis firing:

The Constitutional Bill of Rights on freedoms of speech and religion do not apply to NCAA Coaches in terms of being upstanding role models, especially Christian, in our American culture wars. Here a robust leader-coach has been upended after a marvelous coaching career for going too far in trying to mentor character, set the behavioral bar high, and meet admirable standards. Coaches must know that university athletic programs do not have souls but only selfish interests in their asking of the coach, ‘What have you done for us lately and whom may you not be?’ Coaches need rock ribbed contracts and saavy agents to protect themselves from the fickle college administrations who blow with the latest alumni wind.<sup>83</sup>

#### **IV. Lessons to be Learned**

1. There’s nothing wrong with a coach at a public university being outspoken about their faith or religion. The problem is when they impose their faith or religion on others.

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<sup>78</sup> *Id.*

<sup>79</sup> McCabe, *supra* note 20.

<sup>80</sup> Francis’ Employment Contract, Paragraph 12d.

<sup>81</sup> McCabe, *supra* note 20.

<sup>82</sup> Kampe, *supra* note 14.

<sup>83</sup> Email from Dr. Thom Park dated October 14, 2013.

Francis crossed the line.

2. Mental and physical abuse towards student-athletes will not be tolerated. Such activities should be an absolute basis for termination for cause without severance pay or benefits. There's currently an absence of this type of language in college coaching contracts. The closest, in a review of numerous contracts, is a contract clause in Robert L. Murphy's April 25, 2011 contract as head basketball coach for Eastern Michigan University. That clause indicates that any conduct which violates the rights of student-athletes is a basis for termination for cause.<sup>84</sup>
3. Rutgers-Rice abuse was open to public consumption. His abuse was exposed through videotapes made public through an open records request by a disgruntled former employee. Francis hid behind the cloak of her president husband.
4. There is a substantial conflict of interest when a president of a university is married to a head coach in that University's athletic program. This conflict affects an abundance of university officials including assistant coaches, players, athletic directors, and other personnel who work with the coach. If these relationships are going to be accepted, there needs to be checks and balances to ensure both parties are accountable and held to the same standards as other employees at the university. Failing to act in these instances is tacit support. Punitive actions need to be meted out not only for the abusive coach but for the superiors that let it happen.
5. Head coaches can make or break a student athlete's college experience. As former San Francisco 49ers' coach Bill Walsh once said, "Stop screaming and start teaching."<sup>85</sup>
6. Stellar coaches may not be what they appear to be. Francis' program was extremely successful on and off the court despite the everyday abuse her players were forced to endure. Abuse is not good coaching, even when it results in winning.
7. Zero tolerance is the name of the game. Whistleblowing must be encouraged, not discouraged. Abuse and anti-bullying laws must include coaches at all levels as well as the type of activities that were undertaken by Mike Rice and Francis, with the ultimate result of stiffened penalties for apathy or non-reporting.

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<sup>84</sup> Robert L. Murphy's Employment Contract – Obtained through FOIA Request. On file with Author.

<sup>85</sup> Austin Murphy, *A message to coaches: 'Stop screaming and start teaching'*, SI.COM (April 24, 2013), <http://sportsillustrated.cnn.com/college-basketball/news/20130424/college-coaches/>.