

Oral History Center  
The Bancroft Library

University of California  
Berkeley, California

Robert G. O'Donnell

*Robert G. O'Donnell: Oral Histories on the Management of Intercollegiate Athletics at UC  
Berkeley: 1960 – 2014*

Interviews conducted by  
John Cummins  
in 2012

Copyright © 2017 by The Oral History Center

Since 1954 the Oral History Center has been interviewing leading participants in or well-placed witnesses to major events in the development of Northern California, the West, and the nation. Oral History is a method of collecting historical information through tape-recorded interviews between a narrator with firsthand knowledge of historically significant events and a well-informed interviewer, with the goal of preserving substantive additions to the historical record. The tape recording is transcribed, lightly edited for continuity and clarity, and reviewed by the interviewee. The corrected manuscript is bound with photographs and illustrative materials and placed in The Bancroft Library at the University of California, Berkeley, and in other research collections for scholarly use. Because it is primary material, oral history is not intended to present the final, verified, or complete narrative of events. It is a spoken account, offered by the interviewee in response to questioning, and as such it is reflective, partisan, deeply involved, and irreplaceable.

\*\*\*\*\*

All uses of this manuscript are covered by a legal agreement between The Regents of the University of California and Robert G. O'Donnell dated October 5, 2013. The manuscript is thereby made available for research purposes. All literary rights in the manuscript, including the right to publish, are reserved to The Bancroft Library of the University of California, Berkeley. Excerpts up to 1000 words from this interview may be quoted for publication without seeking permission as long as the use is non-commercial and properly cited.

Requests for permission to quote for publication should be addressed to The Bancroft Library, Head of Public Services, Mail Code 6000, University of California, Berkeley, 94720-6000, and should follow instructions available online at <http://bancroft.berkeley.edu/ROHO/collections/cite.html>

It is recommended that this oral history be cited as follows:

Robert G. O'Donnell, "Robert G. O'Donnell: Oral Histories on the Management of Intercollegiate Athletics at UC Berkeley: 1960 – 2014," conducted by John Cummins in 2012, the Oral History Center, The Bancroft Library, University of California, Berkeley, 2017.

**Table of Contents – Robert G. O’Donnell****Interview 1: April 11, 2011**

Audio File 1

1

Childhood in Walnut Creek — Attending Cal football games with father — Enrollment in Berkeley MBA program — Involvement in Free Speech Movement — General apathy towards athletics in the 1960s — Philanthropic work in Berkeley — Serving as the Chair of the UC Berkeley Foundation — Selection of Sandy Barbour as Athletic Director in 2004 — Southeast Quadrant Committee — Donor contributions go “beyond just financial” — Funding sources at public and private universities — Appointment to the Chancellor’s Advisory Council — Committee report on cutting sports — Poor management, financial controls, and fundraising issues — “That’s Berkeley”— Rising tuition costs and implications for alumni philanthropy — Chairing the campaign for Moffitt Library — Advisory Council and Chancellor Birgenau’s decisions — Nineteen million dollar plan to save sports — More on Sandy Barbour — Title IX Considerations — Revenue enhancements — Funding for the Recreational Sports Facility — Chancellor Mike Heyman and the Athletic Study Center — “Entertainment business wrapped in the confines of academic institutions” — Significance of breadth at Berkley — Impact of injuries and concussions on future athlete recruitment

[End of Interview]

**Interview 1: April 11, 2012**

## Audio File 1

01-00:00:00

Cummins: Okay, this is April 11, 2012. This is the first interview with Bob O'Donnell. I thought we could start, Bob, by you just talking about your involvement with Cal, and then we can lead into the matter dealing with sports.

01-00:00:25

O'Donnell: Okay, well—let's see. I guess I started—I grew up in Walnut Creek, so not far from Berkeley. There was no doubt about where I was going to go to school. My father, who did not finish high school, grew up in the Mission when it was the Irish ghetto, used to take me to Cal football games all the time. So I think probably my first Cal football game would have been in '54 or '55. I remember watching Les Richter playing and—and lose. Then [I] started at Berkeley in 1961, went straight through to an MBA, which you did in those days. Now it has become popular to take five years off or something, before your MBA.

01-00:01:10

Cummins: Right, work.

01-00:01:12

O'Donnell: So I was at Berkeley five and a half years, TA'd while I was in the MBA program. In those six years Cal lost every Big Game. They won the Big Game the year before, and they won the game the year after I left, but that was sort of it. Other than attending football games while I was at Berkeley, I was not terribly involved in athletics, didn't play any sport.

01-00:01:45

Cummins: And of course that was a very turbulent time.

01-00:01:47

O'Donnell: Right.

01-00:01:50

Cummins: Both being a student generally—do you have any sense of how athletics was viewed by other students? Did attendance go down at games? Any recollections of that?

01-00:02:04

O'Donnell: What I remember about Berkeley in those years was—I started in September of '61 and left in December of '66. You could draw a very bright line between that five-and-a-half-year period at about the fall of '64, when FSM started. So when I started, the thing the administration was worried about was panty raids. And when I left, the thing the administration was worried about was tear gas and the army and all that. So there was a very big change. So consistent with that change, the perception of athletics changed in that period too, so that what I distinctly remember as the—I think the rooting section was no longer all male. It had been, like a year or two before I was there. So there was a lot

of student interest in athletics in the first part of that period, and I would say it diminished quite a bit after the '64 period, though it didn't completely go away. I remember particularly when I was in graduate school, when I was in business school, you could leave and walk into the stadium on a football day and not have any trouble getting in and the rooting section wasn't full. So there was definitely a perceptible—

01-00:03:44

O'Donnell:

change. And it was—I was actually involved in the political activity in that period, in what may seem a rather perverse way. I was president of the campus Young Republicans in the fall of 1964, so when the administration pulled all the tables out of Sproul Plaza, that meant they were pulling our Youth for Goldwater and Young Republicans recruiting table out. So we joined with Mario [Savio] and everybody else.

01-00:04:23

Cummins:

Interesting!

01-00:04:24

O'Donnell:

What people—just a short digression—what people often forget is that the free speech movement was everything, from the far left to some groups that were even to the right of *us*. So it really was all-inclusive from September of '64 until December, when about two-thirds of the group went to more direct involvement. But I remember picketing the chancellor's house and various things like that. But yeah, the athletic environment, perception of the students toward athletics—I wouldn't say it was hostile. I would say it was more—I'm generalizing for thirty thousand students—that it changed to more of an apathy than a hostility.

01-00:05:16

Cummins:

Okay, good. So go ahead then.

01-00:05:19

O'Donnell:

So from there, I graduated, went on to other things. Really had very little involvement in the campus other than serving, I think on a business school board for a while in the eighties.

What got me involved, re-involved I guess is the right word, in Berkeley again, was learning about the San Francisco Incentive Awards Program, and getting very involved in that program. This now would have been 1993, 1994, and that then started my involvement—it didn't start my involvement—escalated my involvement in philanthropy at Berkeley. As I got involved in that, one of the things that happens, I believe, with philanthropy there is that once you get involved in one activity it tends to spread out. The perception sometimes is that it's a zero-sum game, that if somebody gives to the library that means they're not giving to the English Department. I think that's nonsense. I think it really does expand. So my involvement then spread out from there to the library, to the business school which I'd always been

involved in in some way or another, and to various other programs, and moderate giving to Athletics, but it was definitely never one of my highest priorities during that period. Then I guess the other thing that got—about ten or eleven years ago I started teaching a class in the MBA program, which I do in the fall. So that tied me further to Berkeley. So that brings us up, let's say, to maybe the 2000 period or something like that.

01-00:07:29

Cummins:

And then you got on the [Berkeley] Foundation at that point?

01-00:07:31

O'Donnell:

Let's see. I joined the foundation board in about '96, became a trustee of the foundation in '96, and started out actually chairing a planned giving committee of the foundation. From there [I] chaired the finance committee and then was vice chair of the foundation and chair of the foundation, respectively, from 2003 to 2007.

01-00:08:07

Cummins:

And how would you characterize the foundation's relationship to Athletics?

01-00:08:13

O'Donnell:

[sigh] The foundation—I guess I'd characterize it much the same way as I'd characterize the foundation's involvement with any activity at Berkeley, with any of the, what I think we call units, which was supporting all with a group of people—and you're talking about what, 110 people, more now—and of those 110 people we had 110 different priorities. Some cared intensely about athletics, some had really minimal involvement or could care less. But the foundation qua foundation was supporting Berkeley broadly, and therefore any activity.

01-00:09:07

Cummins:

Do you think that—because we were talking earlier about the history and the fact that there's this inability to come to grips with Intercollegiate Athletics and its role in the university. Do you think that the foundation would play a key role in that if that ever did happen? Is that the place where it might occur should there be some kind of a committee, for example, in your view? Or does that give too much prominence to Athletics? How would it be viewed?

01-00:09:51

O'Donnell:

Help me again with what *it* is.

01-00:09:53

Cummins:

Putting together a plan and saying here is how Berkeley is going to deal with Intercollegiate Athletics over the long haul.

01-00:10:07

O'Donnell:

Okay. It could—I guess my first instinct would be that would probably not be the way to do it. I think that might involve the foundation too directly in one part of the university's portfolio, if you will. I'd say the same thing if one were going to restructure the English Department. Should that be something

the foundation would be involved in? I think a better way to do it would be to take selected people who have been involved in athletics as well as selected people from the foundation—or more broadly, alumni and friends with a university involvement who *haven't* had or are particularly involved in athletics—and go from there.

I think one of the reasons I was—this was 2004, when Dwight Barker was chair of the foundation and I was vice chair. I was selected to be on the search committee for—it turned out to be Sandy's [Barbour] selection. I felt like I was selected because I hadn't really had a direct involvement in athletics, so that I was representing a broader group. And so I think it's good to have a mix of people to whom athletics are a high priority and those to whom it's less of a priority.

01-00:11:41

Cummins:

Yes, exactly. And then in 2004 Sandy was selected and that was very controversial.

01-00:11:49

O'Donnell:

Right.

01-00:11:52

Cummins:

Did you have anything to do with that or any views on that as a member? I chaired the committee, so whether—

01-00:12:00

O'Donnell:

Right, that's right.

01-00:12:02

Cummins:

I certainly know about the dynamics that flowed out of that decision. I don't know if you want to say anything about it or not.

01-00:12:11

O'Donnell:

You know—well, since you chaired it, you can tell me what I can say and what I can't! [laughter]

01-00:12:16

Cummins:

And as I say, you can edit this so it's—but it gets to, I think, this question of—overall management of Athletics and things like that.

01-00:12:30

O'Donnell:

I think it does. I think—we were told that everything that is talked about in this selection committee/search committee doesn't go any further than the committee, and that was eight years ago. But I think it might be helpful to talk a little about that. I felt the right decision was to go with someone from outside the university, to bring an outsider in to make some changes in management and manage things—so I actually felt, and this is where I say I could be wrong—I actually felt my voice on that had quite an impact. I think I was a minority view on that, but I think that expression of the minority view was significant. At the time I thought Sandy would be an excellent choice.

01-00:14:11

Cummins: Okay. Well, that's very helpful.

01-00:14:15

O'Donnell: And to come back to the real point, which is that I thought—it was my view from what little I learned in that process, that Athletics would benefit from bringing an outsider in to take a fresh look at the whole way things had been done, rather than somebody who'd been there all along.

01-00:14:40

Cummins: Okay, do you want to go from there then? That was probably a more significant level of involvement than you had previously—

01-00:14:49

O'Donnell: Absolutely, absolutely.

01-00:14:50

Cummins: —in terms of some introduction to this.

01-00:14:55

O'Donnell: About a year later—I could be wrong on the date but I think it's roughly correct—maybe even a few months later, and you would know the dates, we started a committee—what was it—the Southeast Quadrant Committee, wasn't it?—to look at that whole project and what could be done on that. So I was on that. I actually thought the idea of a building shared by the law school and the business school, and then that staircase going up to the stadium, and closing Gayley [Road]—I thought that would have been absolutely phenomenal. As it was we weren't able to get that. But yeah, I was on that committee, so that was an involvement there.

01-00:15:48

Cummins: What were your general views about that—how it went and the struggles, and on and on? Any comments that you want to make?

01-00:16:01

O'Donnell: There were so many different agendas, that I think it just kind of died from that. One of the things that was very attractive to me was the idea that was vetted of having the stadium used for academic affairs as well, to bringing it into that. I thought that—to me, that had tremendous symbolic value over and above the sheer value of extra classrooms and extra office space and all that. So I thought that was, other than the aesthetics of the whole project, which would have been wonderful if it had come to pass, I thought that was really almost kind of the singularity in terms of what it would say about the involvement of athletics and academics. I think it would—so that to me was a very attractive feature if it had been able to have been brought off. I didn't sense—by the way, I didn't sense—it may have been there—but I didn't sense a lot of controversy about that part. I think it was more just logistically how that could be done, but I may have missed something.



01-00:17:28  
Cummins: Right In the interview I just had this morning with Ned Spieker there was the issue about his plan.

01-00:17:33  
O'Donnell: Right.

01-00:17:34  
Cummins: Is that what you're referring to?

01-00:17:35  
O'Donnell: Yeah.

01-00:17:35  
Cummins: Yes, so—at least in his view, that that never really did get a full airing by the committee, and that's a puzzle. I'm not quite sure why, unless—my recollection of that is that there was a feeling that it would lead to lawsuits because of the landmark heritage of the stadium itself, and whether it would be viewed as too significant a change.

01-00:18:04  
O'Donnell: Hmm.

01-00:18:06  
Cummins: But are you recalling anything like that? I just don't know.

01-00:18:09  
O'Donnell: I'm not recalling much other than I remember that being—what do I remember? One, I remember it being proposed as a plan. Two, I remember a lot of expressions, including my own, that this sounds like a good deal. It makes a lot of sense. And three, it went away and I'm not sure why it ever went away. In other words, I never heard, "This won't work because..." And in a lot of things that happen at Berkeley it just kind of—the committee and the whole thing just kind of died without any sense of—what's the right word—not conclusion—sense of finality. That okay, this got proposed, we're disbanding the committee to go on to other things. It was one of these—one of these long tails that just kind of asymptotically approach zero and just die. [laughing]

01-00:19:14  
Cummins: Interesting too, yeah. This is a continuing issue, I think, that the university struggles with. Obviously, the role of the donor community is increasingly important.

01-00:19:30  
O'Donnell: Yeah.

01-00:19:30  
Cummins: Very, very important. And yet it isn't clear exactly *how* involved donors should be in the process.

01-00:19:39

O'Donnell: Right.

01-00:19:40

Cummins: It could be a factor of just not having enough experience with this. But I think now, with the terrible financial situation, there is at least a fair amount of discussion about having more independence, of Berkeley having its own board, regents delegating more authority to it, et cetera. So maybe that will get—

01-00:20:05

O'Donnell: Well, I think this little committee was a microcosm of what you're talking about, which is that—put crassly and overstated—what I think many of us feel is the university wants money but not input. And even if they want input they don't want to make decisions that are made by those [donors]—and so there's a fundamental conflict because your investment in a sense goes beyond just financial.

01-00:20:43

Cummins: Of course.

01-00:20:44

O'Donnell: It is dependent on—did I have any impact into that decision? Did I have any input, or none at all? And if you talk to friends who give to Stanford, I think you get a lot of the same feelings, with the exception of [John] Arrillaga building a stadium, other than something like that, I think you get the same kind of feeling. Actually, I was thinking about this the other day, and it relates to the point, which is that to me the distinction between a public and a private university has really become so fuzzy that the distinction is almost becoming meaningless. Stanford gets piles and piles and piles of federal funding.

01-00:21:39

Cummins: Right. Federal money, exactly.

01-00:21:40

O'Donnell: Federal loans, grants to students, all that. At Berkeley, 10 percent of the money is coming from the state; 90 percent is coming from other sources. What's public and what's private? I'm not sure anybody's really thought through that.

01-00:22:00

Cummins: But it is. It has always been a challenge to deal with that. Certainly with all the people that I've interviewed that would fit into that category, of an alumnus or donor, et cetera, that's a key issue: running up against the bureaucracy.

01-00:22:22

O'Donnell: Yeah, yeah.

01-00:22:25

Cummins:

I don't know how much of this exists—it certainly was in my mind—but the operating on stereotypes. So there's this assumption that a donor wants to have influence—true, of course.

01-00:22:42

O'Donnell:

Right.

01-00:22:42

Cummins:

But in terms of thinking that through and how it should be worked out, it's left in this nebulous—and it makes it difficult. And then of course if decisions are made, major decisions, and they're wrong, and donors have advised otherwise—and there certainly have been those cases—

01-00:23:04

O'Donnell:

That's right, yeah, yeah. [laughing]

01-00:23:05

Cummins:

—then that makes it all the more difficult.

01-00:23:05

O'Donnell:

Yes, no—that's right, that's right. And of course one of the problems with that is assuming that donors or alumni would all have the same views.

01-00:23:15

Cummins:

Exactly. They don't, absolutely. Exactly, as you said.

01-00:23:16

O'Donnell:

There's as many views as there are among donors as within the university. Actually probably more.

01-00:23:24

Cummins:

But the closing of the loop, I think, is the important point here.

01-00:23:29

O'Donnell:

The university is terrible about closing loops, just terrible. You're involved, we're forming this, you're involved—and then it just—as I said, it disappears. It disappears.

01-00:23:42

Cummins:

Okay, so do you want to go forward with that? [laughter] Anything else about the committee?

01-00:23:46

O'Donnell:

Let's see, what did I leave out? No, I think that pretty much wraps up the committee.

01-00:23:54

Cummins:

And you're still on the foundation board?

01-00:23:56

O'Donnell:

Yeah, I'm an emeritus trustee on the foundation board.

01-00:23:56

Cummins: Oh, I see, okay. And so you still can attend meetings?

01-00:23:59

O'Donnell: Yeah, yeah.

01-00:24:01

Cummins: Okay, fine.

01-00:24:02

O'Donnell: I still do.

01-00:24:03

Cummins: Do you have involvement with the executive committee?

01-00:24:06

O'Donnell: No, no. When you're emeritus you're not on the executive committee. I am on the library advisory board, so that's involvement there.

01-00:24:20

Cummins: So when would your next involvement come with Athletics and how did that arise?

01-00:24:28

O'Donnell: I'm trying to think whether there was anything between that committee and the Advisory Council [Chancellor's Advisory Council on Intercollegiate Athletics Financial Sustainability and the Academic Senate Task Force on Intercollegiate Athletics] I don't think—other than periodic giving and going to games I don't think there was until the Advisory Council was formed, which would have been what—April two years ago, April of 2010.

01-00:24:55

Cummins: So talk about that. How you were appointed or why you think you were appointed and what your views were.

01-00:25:05

O'Donnell: I don't know why I was appointed. I suspect if you look at the alumni who were appointed, the other three certainly had much more historic involvement in athletics than I did, so I may have been here's an alum that is somewhat involved but not as involved as some of the others, and they had these biases. It was a very good group of people. It was a good group of eight. The charge, I think mistakenly—I think I would have—let me back up. The charge of the committee was to—I could almost get it right but paraphrasing it—to propose various alternatives and analyze the pros and cons of those alternatives, but not to make a recommendation. And as I think about it, I think I should have pushed back against that to begin with, because it really—the work that the committee, that the Chancellor's Advisory Council did really *required* recommendations. And there would have definitely been a recommendation. And the recommendation in one form or another, either by a five to three or a six to two vote, the majority, I'm convinced, would have been to at least defer

a decision for a year, maybe to have a longer-term plan, but to at least defer a decision for a year.

01-00:26:53

Cummins: Vis-à-vis cutting sports?

01-00:26:54

O'Donnell: Vis-à-vis cutting sports. And so—you've read the report, you have the report, but let me just hit the highlights as they affected me beyond what was just in the report, as I know I've talked to you about before.

I've always had this problem with how one looks at the financial statements of Athletics. So that when—in the simplest form, when tuition goes up I don't accept that Athletics loses more money. I'm kind of a cash-flow guy, right? So this kind of push-down accounting from the university down to every branch, which ignores incremental accounting, which ignores marginal costing, marginal revenue, just does not work. And it gives a very flawed picture. So I tried to fight that battle. I had some support from others, but I think we kind of agreed not to push that any further. There are some reasons for it. It is NCAA-directed and all that. But I would say, if I were the chancellor or if I were the athletic director or if I were the vice chancellor to whom Athletics reports, I would sure as hell look at Athletics on a cash-flow basis, with the assumption that the university provides scholarships in English and French and other things. And so what is it that about an athletic scholarship that's different, particularly when you consider some of the impact on minorities in providing an athletic scholarship? I think there are good sound reasons one can make a case that athletic scholarships are a pro publica activity of the university that shouldn't be charged all to Athletics. That's point one.

Point two—I was really appalled, and this comes through in the report but we soft-pedaled it a little bit—really appalled at the way Athletics is managed, just from a management basis. I think we concluded that if you can say this about Athletics, it's probably also true of many university departments.  
[laughing]

01-00:29:26

Cummins: So talk a little about—

01-00:29:30

O'Donnell: Financial controls—I'll still use the present tense. There may have been some changes. But internal controls are inadequate, reporting is lagged so significantly that by the time you know where you stand it's too late to make corrections.

01-00:29:50

Cummins: Right.

01-00:29:54

O'Donnell:

And so that just has to be improved. I will come back to that. Remind me if I don't. So that was the other thing, is there's just been a failure to put in the kind of financial controls that one needs to run what is almost, can be called a business, to come to that.

Third, the idea that you can target an amount and have a specific number target that the university is going to subsidize Athletics with is absurd. So that the—clearly, where Birgeneau wanted us to come out was no more than \$5 million to Athletics, and the faculty came up with that number. We came up with that number as a process of compromise. What got lost in translation—to quote the movie—what got lost in translation was that that \$5 million number should be perceived as \$5 million plus or minus \$7 or \$8 [million]. In other words, when you've got—one thing I learned in my early days as an accountant is that it's not the bottom line number that's significant in terms of giving you an idea of how much can vary, it's the revenue numbers and the expense numbers that lead into that, right? So if there are ten degrees of freedom here and one here, you've got ten degrees of freedom in this estimate, not one, so that there's so much variability. Rain on a couple of Saturdays or the football team's four and eight instead of nine and three is—so the idea that one can budget to a specific number is simply a myth. It's a public relations strategy within the university. It has no real meaning. I think a real frustration of mine is that that got held up to be the takeaway, as my MBA students call it, which is a term I hate—that the takeaway of that report—

01-00:32:32

O'Donnell:

—what everybody wants is—take a very complex subject and boil it down to one sentence, right? That's what my MBA students want me to do—"What's the takeaway?" We have a two-hour discussion. In thirty seconds, what does that mean? And that was the takeaway of that report, that the task force endorsed the faculty report of \$5 million. That really isn't right. And if you read the report, which hardly anybody did, that is the conclu[sion]—so that was a frustration. Let's see, what else was a frustration?

01-00:33:05

Cummins:

Well, there's also that conflict, where you have the university on the one hand saying that athletics is a very important function, on the other saying we're not going to put any money into it.

01-00:33:17

O'Donnell:

Right, exactly.

01-00:33:20

Cummins:

Which is a very conflicting—which I think, as I mentioned earlier, goes all the way back to the sixties, where it just starts getting tighter and tighter.

01-00:33:26

O'Donnell:

It does, it does. And see, what I argued for then, and would argue for now, is that if you treated athletic scholarships as I think they should be treated, as an

out-of-the-income-statement kind of item—this is what the university provides; it provides athletic scholarships. If that number is \$10 or \$11 million and you “lose” \$10 or \$11 million in Athletics, then the real numbers break even, right? And if you could manage—and then I would argue that it would be logical to manage Athletics to a break-even number, realizing that some years it’s going to be plus \$6 [million] and some years it’s going to be minus \$6 [million]. But if you added up five or six years of results in Athletics, you’d kind of expect it ought to be zero, with athletic scholarships put to the side. Because, a basic principle of both management and financial accounting is you manage to what you can control. And so if you can’t control the cost of athletic scholarships when you’re raising tuition, you can’t manage to that. You *can* manage to: how much are we bringing in in revenue in football? Can we raise that? How much can we—you can manage expenses. And so I think the AD, whoever he or she is, is really treated unfairly when asked to manage to a number, where one of the biggest numbers you have no control over. It’s just absurd. So then—sure, go ahead.

01-00:35:18

Cummins: Let’s say—in the report, where Sandy Barbour is faulted—

01-00:35:22

O’Donnell: Right there.

01-00:35:23

Cummins: —on the management. It’s not simply Sandy Barbour is what you’re saying.

01-00:35:27

O’Donnell: That’s correct.

01-00:35:28

Cummins: It’s the institution.

01-00:35:29

O’Donnell: That’s correct. That’s correct.

01-00:35:31

Cummins: Okay, because that part isn’t very clear in the report.

01-00:35:34

O’Donnell: It is not, it is not.

01-00:35:36

Cummins: I would agree. I think that that’s—

01-00:35:38

O’Donnell: I think it’s still true that even if I were to take that out I would say the management of Athletics has not been good. But let’s take it at two levels. One is the AD is required to manage a department where one of the biggest items he or she has no control over. Two, how has Sandy as an AD managed expenses and managed the budget? I’d say not very well. Directionally it may

be getting better. I had a feeling that it—I think Laura Hazlett—is that her name?

01-00:36:21

Cummins: Yes.

01-00:36:23

O'Donnell: Quick impressions of her are favorable, so I think there's some progress being made there, but the overall department is not well managed. Now maybe that's too harsh, because I suspect if you had put me on a task force to look at the whole campus financial [picture] I'm not sure my conclusion would be any more favorable. So it may be no worse in the French Department.

01-00:36:51

Cummins: Right, although most of those other units it's easier to manage to a bottom line, because you don't have all those unknowns.

01-00:37:01

O'Donnell: You don't have rain—if it rains on Saturday the French Department still functions.

01-00:37:04

Cummins: That's right, that's right. Exactly. And what would be some examples, or did the committee see some examples, where even taking that, as you say, the bottom-line issue aside there would still be a problem with controlling costs? Were you provided—the common view on that is that the football coach gets whatever he wants because everything is dependent on the football coach. But in terms of any details or specifics, when Athletics reported to me one of the first decisions I had was that Jeff Tedford wanted new uniforms, and that cost \$50,000. Now, I was completely new to this. I thought why, why do you need—when Bob Berdahl is telling me, “Get the budget under control,” and on and on. So is that the kind of thing you're referring to? Or is it—

01-00:38:01

O'Donnell: Actually not so much. No. I mean—it's not that. It's more the timeliness of information. Do we know in June where we stood at the end of April? And you probably didn't know where you stood at the end of the first week of June. I'd settle for May, but knowing where you stood at the end of January in June is not acceptable. In other words, and this is—you should not have surprises. They thought—my understanding is that—what was the year—I think it was fiscal [year] 2008-09, that they expected the loss—we called it delta, because we wanted to get away from loss and gain. But they expected the delta to be \$7 million and it wound up being \$12 [million]. The numbers aren't precise, but order of magnitude. That shouldn't happen. You should say in January, because the football season's over, right? You should be able to say in January okay, look, we're going to miss budget. So if you tell management in January, we're off our budget—if you tell them in August you've got a problem. So that's the biggest part of it.



The other thing where we got pushback—maybe I should say that *I* got pushback because I think there was only two or three—no, there were more than two people pushing this. It's if you're going to cut sports, instead of cutting sports, if you've really got all this budget pressure and if the only alternative is to cut sports, if the tennis team has three coaches, could it get by on two? In other words, let's say tennis is one—tennis was not one of the ones, but it could have been actually. If you're going to get rid of the—maybe we should take one that *was* considered for elimination and was—field hockey. If you're going to have a field hockey team, could you get by with two coaches instead of three? Could you get by not going to Illinois for a game? In other words, the direct—and the question I'm framing is: is 90 percent of ideal better than nothing? Right? And we didn't get any willingness, perception of willingness, to push that envelope a little bit. If we run twenty-nine programs, they've all got to be run in this way, the way we've done it.

01-00:40:52

Cummins: Yeah, the tiering question.

01-00:40:53

O'Donnell: That's right, the tiering.

01-00:40:54

Cummins: The tiering question. And Sandy clearly does not want tiering. If you're going to do it, do it the best you can. And there are a lot of other people that would say participation is more important.

01-00:41:06

O'Donnell: Yeah, yeah.

01-00:41:10

Cummins: And I guess the other issue was did people, alums, whoever, concerned parties, were they informed in enough time to say, "Well, we'll do something in order for this not to happen."

01-00:41:25

O'Donnell: No.

01-00:41:26

Cummins: They weren't.

01-00:41:27

O'Donnell: No.

01-00:41:27

Cummins: You don't think so.

01-00:41:27

O'Donnell: No, clearly not. Clearly not, clearly not. I think there was a lot of rewriting of history after the fact. If we had gone to these teams and told them they had

to—well, if so it was very sotto voce. I don't think the alums—particularly baseball—I don't think those people had any idea this was coming and that this could have been staved off with certain steps.

01-00:42:00

Cummins: Right, yeah. Plus, there's this great reluctance within Athletics to say anything about cutting sports. They're very afraid—they want you to say there will be an immediate effect on recruiting.

01-00:42:08

O'Donnell: Yeah, and that's legit. I can understand that. The time frame though—again, this is just—seems to be the way that Berkeley does things. If the committee report is complete, and it was in June and I think it was released in early July, you don't then wait three months to announce a decision. It's—again, a basic principle of management as I see, that if you're going to have layoffs you don't say in March, we're going to have layoffs in July, because you won't get any work done from March to July. You can count on that! You won't get any recruiting to any team that's threatened, and you'd probably even hurt recruiting to the sports where you *know* there's not going to be any [cutting]. If you're a football recruit during that period and you hear they're thinking of cutting five sports, it doesn't help any.

There was something I was going to come back to, it was—

01-00:43:27

Cummins: The financial controls?

01-00:43:29

O'Donnell: The financial controls—yeah, I think we got to that. There was one other thing.

01-00:43:33

Cummins: Fundraising was another issue that the committee took seriously.

01-00:43:40

O'Donnell: Again, and the punches were pulled on that. The current—it was one of the few humorous moments in that Chancellor's Advisory Council was when we started talking about fundraising and somebody finally spoke up—it might have been me—very quietly offering that they didn't think that the development person that we had in place was first rate. And once you opened up that little hole in the dam—man, you just got this outpouring from everybody with horror stories of what had happened with the person who was in that role, in a development role.

01-00:44:33

Cummins: And was that mostly around the high performance center or stadium issues, and promises not being kept?

01-00:44:39

O'Donnell:

Yeah, but it was broader than that. It was broader than that. It was—I'll tell my own story. It was this gentleman came into my office in San Francisco. I had committed a million dollars to the stadium project when it was going to be an academic/athletic facility. He came in and said, "We still need x dollars. We'd like you to raise your commitment by a certain amount," something like that. And we talked a little bit and back and forth. I said, "You know, I have other priorities on the campus. I'm involved in the library. You know how this works, that it spreads out." And once I said that I was going to be increasing my giving to others, the campus, and I thought a million dollars for this project was sufficient, he simply said, "Okay," and walked out of the room, walked out of the room and left the office. Well, how much more do you think I'm going to give to Athletics with *that* person in there, right?

01-00:46:03

Cummins:

Of course, of course, yes.

01-00:46:08

O'Donnell:

I was speaking about how alums need to support many different areas of the campus, and that was my whole thrust. And this was, "Hey, I'm only interested in this one thing. If you're not on board with that, screw you." And that's—okay. As I say, that was kind of one of the humorous moments. We all got off on that with our own horror stories. It's inconceivable to me that an AD who's paying attention to how development is going wouldn't perceive that, because if four out of four alums are telling those stories, it's unlikely that those four are just one-offs, right? So that's a real failure of management of the development function, which has got to be—

01-00:47:04

Cummins:

It's critical.

01-00:47:05

O'Donnell:

I've talked to Rich [Richard K.] Lyons, and I think Rich will agree 40 or 50 percent of *his* job is development.

01-00:47:13

Cummins:

Oh, absolutely. No question.

01-00:47:15

O'Donnell:

And so it has got to be even more true for an AD than a dean. So that is just a basic flaw, that that just has not been done well. And then of course there's a whole history with the Haas Pavilion overruns, the stadium, not all of which was the university's fault.

01-00:47:34

Cummins:

Oh yes, Spieker Plaza.

01-00:47:36

O'Donnell:

The tree sitters didn't help. But that's Berkeley, and you know you're going to have that.

01-00:47:47

Cummins: But you mentioned before we turned this on, or maybe even while the tape was on about Stanford—do you hear that kind of thing? You just said, “That’s Berkeley.” There’s this view—when Bob Berdahl was there he called it The Berkeley Way. How do you even begin to change—do you pick that up from your Stanford friends?

01-00:48:09

O’Donnell: No, no. Not like that. There are just so many different—in some ways it’s one of the things you love about the place. That it—but you do, it is, and whether you say it’s The Berkeley Way or that’s Berkeley or whatever, I don’t know. There may be other places that have similarities like that. I imagine Wisconsin has got some—but there does seem to be something about Berkeley that is unique. [laughing] And that’s a word I don’t like to use, because not many things *are* unique.

01-00:48:49

Cummins: Because virtually everybody that I’ve interviewed in the, would be in the donor category, has said that. And then the next question I have is then why do you continue? Because it *is* so frustrating! [laughter]

01-00:49:03

O’Donnell: Yeah, yeah.

01-00:49:04

Cummins: Some of these stories would drive you through the wall.

01-00:49:08

O’Donnell: I know, I know!

01-00:49:09

Cummins: So do you want to answer that? Everybody says that they love Berkeley, it’s a phenomenal institution.

01-00:49:19

O’Donnell: It is, it is.

01-00:49:23

Cummins: And so it’s weird.

01-00:49:24

O’Donnell: It is weird. It speaks to the fact that there must, indeed, be something really good about Berkeley, because when you keep kicking people in the face and they keep giving you money, it really is kind of remarkable! [laughing]

01-00:49:42

Cummins: And I don’t know that there’s any explanation for it, but it is strange.

01-00:49:47

O’Donnell: To some extent I do—I don’t like where this thought leads, but I’ll throw it out. I think it’s a transitory thing, in that those of us who went there in the

fifties, in the sixties, and maybe the seventies—particularly for those of us who—as I said, my mother went to junior college—neither of my parents went to college. For that, to be able to go to a place like Berkeley and pay \$60 a semester, which I think by the time I got out was all the way up to \$200. Yeah—an awful lot of what I am is attributable to Berkeley. I don't think—so yeah, you can keep the metaphor. You can keep kicking me in the face and I'll probably keep giving money, although I do want to come back to that point—probably not to Athletics.

I don't think you're going to get that loyalty from the people at Berkeley in the nineties or the aughts or where they are now, because while they're still getting a deal, they're not getting the kind of deal that we got. And it's not changing lives in quite the same way, even though some argue it is. But again, some of that may have to do with the higher tuition. I have a friend who went to Stanford, a former business colleague, much younger than I—he's in his early forties, so he went there twenty years ago. He says, "I don't give a dime to Stanford. I paid my tuition; it was a transaction. I paid them \$40,000, they gave me a good education, end of story. I give to other things." So that may be—you won't see it for ten years at least, but that may be the future problem of philanthropy at Berkeley, as you transition to a different generation.

01-00:52:10

Cummins:

Right, I think one of the problems with the entire development operation is that that group of donors at the top is very small and not growing, and that's a real concern.

01-00:52:25

O'Donnell:

That is a real concern. That's something, on the library I'm actually chairing the campaign for Moffitt [Library] along with the working group of the campaign for Moffitt. That's something I've insisted on, is that we don't just go back to the same people, that you've got to build—and it's harder. And so trying to get, not the senior development people, but the boots on the ground, trying to get them to develop new names rather than go back to the same—it's hard. It's really hard.

01-00:53:00

Cummins:

It *is* hard. Exactly.

01-00:53:02

O'Donnell:

But yeah, I think that is a problem. Let's see, what else—where else were we?

01-00:53:12

Cummins:

So I guess when you—were you told [about cutting sports] before the actual announcement?

01-00:53:17

O'Donnell:

No.

01-00:53:27

Cummins:

Right. Because there was that concern that Bill Ausfahl talked about in his interview [with me], where the [*San Francisco Chronicle*] article made it appear that you were responsible, which had to be very unpleasant, yeah.

01-00:53:41

O'Donnell:

Yeah, yeah. Well, that's—I'll go there now. The loop—yeah, the loop was closed, but I feel whether intentionally or unintentionally, that we were really used as a screen for the chancellor's decision.

01-00:54:10

Cummins:

He had already decided?

01-00:54:13

O'Donnell:

That I don't know.

01-00:54:14

Cummins:

Or his direction was—

01-00:54:16

O'Donnell:

I think there is a significant possibility that that was already decided before the Chancellor's Advisory Council was formed, and this was purely a screen.

01-00:54:25

Cummins:

Because—go ahead, I'm sorry.

01-00:54:27

O'Donnell:

Let me go with that—I'm agnostic on that because it doesn't really matter. Whether it was or wasn't, the press release from the university in late September clearly implied that our Advisory Council had made a recommendation to cut sports. When I asked for that to be walked back, to make clear that this group was not asked to make any recommendations, I didn't get any satisfaction on that. I could even forgive if the decision were already made and the purpose of the Advisory Council was to—

01-00:55:20

Cummins:

Affirm.

01-00:55:21

O'Donnell:

—that and talk about alternatives. But the burden of proof, if you will—that's okay. I can handle that. But to say in language that basically said the faculty [Academic Senate] Task Force [on Intercollegiate Athletics] recommended this and was endorsed by this other Advisory Council endorsing the chancellor's decision. That was just flat-out wrong. And so that's where you feel—and so yeah, I would endorse what Bill [Ausfahl] apparently said. I've talked to Bill plenty about it; I feel the same way. That it is clear when you talk to people—people come up to me and say, “You were on that Advisory Council? Why'd you recommend cutting sports?” So the chancellor was hiding behind our skirts on that one, and I do resent that.

And then I have one other thing that then, if you take it from there, we—Bill and Dwight [Barker] and I sat down with Bob [Birgeneau] in—this is now November of 2010 and said, “Look,” I’m skipping several conversations with Frank Yearly and Sandy about what can we do to iron this out. The chancellor said, essentially, “I’m not doing anything [about cutting sports] unless you can raise \$120 million right away.” Through the course of the conversation that number started dropping significantly. And we said, “You know we’re not going to do that. We can’t do that unless somebody comes in who we don’t anticipate. But what we’re pretty sure we can do,”—and Bill and I had worked out, without getting into its complexities, a staged way in which you could have funds that would cover things going out until you built something like a permanent endowment. Probably not \$120 million, but something pretty substantial. You can do a lot with—as you well know—with quasi-endowments, term endowments. We were very confident we could come up with that. That, by the way, was in the report but it didn’t get much attention. So we said, “Look, I’m sure we can raise something like \$15 [million] or \$20 million, if we really get on this. If we have your support we can probably do even more. “No, no. That won’t work. It’s got to be \$100 million.” This is November.

And so you then got a whole array of activity going on to raise a number, and Frank Yearly was playing the role of the intermediary between us and the chancellor. The number started coming down from \$120 million and finally got down to, I think, \$19 [million] to “save” the sports. The plan to do that was totally different from the way things eventually evolved. And to bring it to what really sent me ballistic—and it takes a lot to send me ballistic, it really does. But in May of 2011, at the dinner where Ausfahl was presented the Chancellor’s Award, the chancellor, in one of his remarks about Bill said that, “After we cut sports, Bill and Dwight,” and he actually called him Dick, “Bill and Dick Barker and Bob O’Donnell came into my office and outlined a plan to save sports. I endorsed that and we saved sports.” I said, “Wait a minute! Where did that come from?” [laughing]

Because what it eventually became, in that November-to-March period was what I would call—I think actually Scott Bidy called it—fundraising at the endpoint of a pistol, and a nickel-and-diming process that really reached its nadir when Frank Yearly called me on a Saturday, when every sport but men’s gymnastics had been saved, and said, “The gymnastics team is going off to their annual thing next week, and we still need \$200,000 to save gymnastics. Could you increase your pledge from what you pledged to save gymnastics?” I said, “Frank, give me a break. You’re not going to let men’s gymnastics—we already spent two or three hours with you when you explained how men’s gymnastics and women’s gymnastics were tied at the hip, that because of costs and economies of scale you couldn’t get rid of it. And then three days later, without raising any more money, they saved men’s gymnastics. It’s almost impossible, at least for me, not to just say *man!* [laughing] That at a very personal level I feel insulted.

01-01:00:49

Cummins: Yeah, sure.

01-01:00:53

O'Donnell: Because I originally committed a million dollars to support the athletic program to bring back the sports. And when they kept three and cut two I said, "Okay. Well, that sounds like 35 percent, so we'll cut it down to \$350,000." And that's when Frank then tried to come back—it just, in other words—it is offensive to treat your donor base in that way. And so that's what it—I don't mean to have this descend into personal venting, but I think it's important—

01-01:01:33

Cummins: It is important.

01-01:01:35

O'Donnell: —in understanding how you can screw things up, to the point where I told Scott, I told Frank, that we've actually changed our estate plan in terms of what goes to Berkeley]because I was so offended.

01-01:01:56

Cummins: Wow.

01-01:02:00

O'Donnell: And that's—and Dwight Barker has a letter that he gave the chancellor, of somebody in LA, who in getting this whole thing about cutting sports said that he has changed—and so, these are people who you *know* where they've changed their estate. What you don't know—and this is something the university forgets. If you can't measure something, it doesn't mean it doesn't exist. So if you're going to nickel and dime people and say you need to raise \$120 million, but then you do the same thing for \$19 million—you know you got \$19 million. I'll grant that. But you don't know what you lost in that process, and the fact that you can't measure it doesn't mean it isn't there. So that's the unfortunate result of this whole thing, in terms of what it is likely to do to athletic fundraising which you will never know, right? You'll never know the money you *didn't* get in the future, because of the cost of this. But I have pretty good evidence that there's a pretty good cost.

01-01:03:12

Cummins: So do you think once the decision was made to cut sports that he just should have stuck to it? In other words, and said, "No. I've made that decision. I don't want to revisit it."

01-01:03:30

O'Donnell: You know, that's a tough one. That's a tough one. I'll weasel out of answering, not answering directly, by saying what I think he *could* have done, which [is] I think he could have said, "We're going to have to cut these sports unless we can raise money as a bridge to a more permanent endowment for these sports. Here's how we could do it." And maybe I would have even done it without saying—the natural result would have been—here's the report of the two advisory groups. We have some issues that need to be addressed in



Athletics; we're going to address those. Again, without getting into the dirty laundry—we can do a better job of fundraising in Athletics. We're going to work on that. We need to make some decisions. We are going to make *no* cuts in sports for one year or two years, it doesn't matter, until we can effectively come up with a bridge to raise that. But we may need to make some changes

Once you announce the decision—I don't know. That's hard to say, that's hard to say. I guess I'd have to say no, I'm glad he blinked. I'm glad he blinked. Because you've got a group of kids now, still at the university, playing five sports that they wouldn't be playing if he hadn't blinked.

01-01:05:26

Cummins:

It gets to the issue—because the \$4 million is the number they used; this would save \$4 million. We went through this same exercise when I had Athletics, from 2004 to 2006. It was the same number then, \$4 million, except more sports would have been cut.

01-01:05:50

O'Donnell:

Right, right.

01-01:05:50

Cummins:

And the decision at that time was, and this was Chancellor Birgeneau's decision, not worth it. Of course there wasn't that kind of political pressure from the faculty, et cetera. So I don't know. It's a very hard decision, and of course if you're the chancellor and you've made that decision, and then you have somebody, a group of people saying, "Well, here's \$19 million," it's very hard to turn *that* down. I don't see how you can do it, really. [laughing] And if you did, that, no question, would have had *huge* ramifications for fundraising.

01-01:06:36

O'Donnell:

But see that's—that's where he was blind. That's the point he missed, was that once you had said we're cutting sports and people came to you and said, "What can we do about that?" To say it would take \$120 million is to say no, I'm not going to revisit that.

01-01:06:59

Cummins:

Yes, yes.

01-01:07:00

O'Donnell:

So if you did eventually revisit it for \$19 [million] [laughing]—that's the old joke about a prostitute—all you're arguing about is the price. Why not then say okay, here's what it would take. It would take \$19 million, and all the appropriate language. I suspect what happened is he just got so sick of the process, because I don't think—in some ways I think he was ill served by the people who report to him on this one. I think he was ill served by Frank; I think he was ill served by Sandy, because—don't you think in a \$75-million operation, don't you think you could come up with \$4 million without cutting anything? I kind of think you could. There are two things that strike me about

that. One, I think you could. Do you really need that third tennis coach? Maybe not.

Oh, that was the other thing I wanted to come back to. What I wanted to come back to was the most striking thing to me, in addition to the financial controls, kind of part and parcel of this—they dovetail—is [that] the explosion in costs that occurred from 2004 to 2010 was not in the coaches or in the activities. It was in administration, in the athletic administration. You say, well, *what* are all these people doing? Why do we have a strength coach? It's one of these things where when you're handling the discussion with someone who knows more than you about the subject, you can't say, "Well, you don't need that person." All you can say is well, here's where you were in '04—and the number is in the report. I can't remember what it was, but it's something like—and this number grew 25 percent a year compounded! Was it really that bad eight years ago? I doubt it. I can't prove it, but I doubt it. So that was the most—and whether that's financial controls, lack of management, bad decisions—it's hard to say.

01-01:09:40

Cummins: But you couldn't get to that level, right? I mean the committee couldn't.

01-01:09:41

O'Donnell: No.

01-01:09:44

Cummins: You couldn't say, bring in your financial people, sit down, we want to know chapter and verse.

01-01:09:46

O'Donnell: No.

01-01:09:47

Cummins: Yeah, you can't do that.

01-01:09:49

O'Donnell: We got into it a little bit, but your purpose in a two-month study where you're meeting every other week for a couple of hours is not to manage the department.

01-01:10:01

Cummins: It's not going to happen, absolutely.

01-01:10:02

O'Donnell: You can't do that. You can't do that. But anyway, but to come back to the point—\$4 million of savings versus what it means in loss of contributions—doesn't make sense. Four million dollars relative to \$75 [million] is not much. It's hardly worth it. So that's where some perspective got lost. I do have to say, I understand the pressure the university is under, if the English Department doesn't have any phones, although that's—I think some of that might have been done for dramatic effect. But there's no question, and we

talked about it in the report. There's tremendous pressure on the academic departments. This is first and foremost an academic institution. I understand all that. But it doesn't change the fact that if you're a CEO or a chancellor you have to make the tough decisions and you have to explain the tough decisions. If you said the savings are de minimis and the philanthropy is going to be affected, people may not buy it, but you've got to call it that way. So I think this was the easy way out.

Where I was talking about being ill served though was the idea that Sandy, in taking what I think was really the easy road even though she didn't describe it this way, of I can get rid of some people that are excess, or I can cut sports. And I think the easier decision for the university would be to get rid of some people. I think the easier decision for Sandy was just I'm being forced to do it. I've got to cut five sports. I don't really want to—her strength is clearly not in managing people, in the first place. So I think that's what I say when I think I was ill served. I think Frank, acting in between this, was probably trying to take some heat off the chancellor, forcing—I don't know—forcing the situation of bad management in trying to come up with something that would sound good to the whole campus, rather than necessarily trying to come up with the right decision. But you say in retrospect it was Tien that was really the cause of losing [Bruce] Snyder. That is not what most people think. So there's—there's sort of the Wizard of Oz there. [laughing] There's a curtain that obscures me from really knowing what happened.

01-01:13:21

Cummins: Yeah, or whether he had, the chancellor, had made up his mind and he was going to cut sports. I think there's a possibility that was the case.

01-01:13:32

O'Donnell: Yeah, yeah.

01-01:13:36

Cummins: As I say, he had been through this once before, in 2005-2006 they had come up with this \$4-million figure at that point in time. I'm sure Cal Moore talked about that in the committee.

01-01:13:50

O'Donnell: Yeah, he did.

01-01:13:51

Cummins: I think they were totally caught by surprise when this number jumped from \$7 million to \$13 million at a really bad time.

01-01:14:01

O'Donnell: Yeah, at a really bad time.

01-01:14:04

Cummins: And I'm sure they were upset, angry, about that. There has always been a problem getting numbers. Now that came out in your report. It was true in the

other reports. And the very issue that you raised about Paul Gray. I remember the first time he saw these numbers, which was 2004 or 2005—[he said] how did it go from here to here in this short period of time? [laughing] Exactly the same issue. So again, it's a puzzle.

01-01:14:42

O'Donnell: I think it has suffered too, and this ties in and frames the whole thing I think—I think Athletics has suffered as well from the number of people to whom Sandy has been reporting over a short period of time. I can count four quickly, and that may be low. There may be more.

01-01:15:02

Cummins: I think two, three, four—me, including me. Exactly. Yeah, it's hard, very hard. And as I said, that's why I started this project, because I thought hell—what did I know about intercollegiate athletics? And I think that's true—Nathan [Brostrom] may have known a little more because he was an athlete. But certainly Frank didn't, and I don't think John Wilton, obviously, does. So it's—yeah, that's definitely part of it.

01-01:15:33

O'Donnell: Yeah, yeah.

01-01:15:36

Cummins: What about Title IX? What are your views on that?

01-01:15:44

O'Donnell: Well, that was another example—I had written a note that I wanted to come back to that. That was another example of management not understanding the implications of what they were doing. We had—I think it's Foti [Mellis] come in and talk to us about Title IX and what would happen if you cut certain sports, women, and what they—Sandy was sitting there. And when they finally made the cuts that they made, we said this completely blows your Title IX thing. Everybody was—*really*? I actually think—I don't know who—I think it is true that neither Sandy nor Frank nor Bob were aware of what happened if you did this. And you just kind of said—*whoa!* Because it was in the report and it was talked about in the committee. So how could the AD not realize the implications of that? So either she didn't know something she certainly should have known, or she knew and pretended that she didn't. Neither is a very attractive possibility.

01-01:17:12

Cummins: Right, no, no.

01-01:17:13

O'Donnell: And neither is an attractive set of alternatives. Frank *should* have known. That seems kind of—God almighty! If *we* knew, right? How could *they* not know it?

01-01:17:28

Cummins:

When I had Athletics I kept pushing Sandy to do a Title IX report analysis, and I just couldn't get anywhere, couldn't get anywhere. Then finally, by the end when I had it, there was an agreement that a report would be done. She picked the person who was an expert in this area. It *was* done, it was sent under attorney-client privilege to Mike Smith. I told Frank Yearly that. So again, I was stunned as well. It's almost impossible to believe that it couldn't have been taken into account.

01-01:18:14

O'Donnell:

Yeah, because we went through, Bill and I and somebody else, went through once we saw that, in terms of what it would have to do to reshuffle and rebalance, and the implications were draconian! It's just—and so when we laid that on Frank and laid that on the chancellor, I think we got a—

01-01:18:40

Cummins:

Attention.

01-01:18:43

O'Donnell:

Yeah, I think we got attention, but I think we also got—I think they couldn't admit it, because you wouldn't—you could do a lot of things but you wouldn't do that. [laughing] In other words, I could respect that one might make a rational decision to cut sports, with which I disagree. One would not make *that* decision, because it just completely screws things up. No, that was amazing. And I even don't—I once knew the chapter and verse of what that would do. I no longer remember it other than that it was just horrendous and that you couldn't do that. I think we knew, once we got this blank look from Birgeneau, I think we knew that field hockey and women's gymnastics were coming back one way or the other. That was—you *knew* that was coming.

I guess the other thing that was kind of interesting—I don't quite know what happened, is the baseball—we call them the baseball guys. There was this group of people who were raising money for baseball [that] was kind of part of this, and they were singularly ineffective. So that when we saw what we had actually raised, that's when they said okay, we're just saving rugby—because Jack [Clark] did a phenomenal job—saving rugby and the two women's sports, and leaving baseball and [men's gymnastics]. And it actually took that to get the baseball people motivated. I don't quite understand why that played out the way it did. I think there were some younger folk who were involved in the baseball fundraising who I don't think were very effective, so maybe it simply took okay, now that they've singled out baseball and men's gym[nastics] it is something—and so now we're really going to go to the mat and do it. At that point we dropped out of the process.

01-01:21:11

Cummins:

So what is your view now? [O'Donnell laughs] I mean how do you see things developing?

01-01:21:19  
O'Donnell: Well, there's one thing that's ongoing, which is part of the report called for a consultant to come in and take a look. And Bain I guess has volunteered to do it pro bono.

01-01:21:34  
Cummins: And that's apparently done, isn't it? I heard it was done. I haven't seen it.

01-01:21:36  
O'Donnell: That is news to me.

01-01:21:38  
Cummins: Okay, because Bill I think—no, Dwight. I think Dwight told me that it was probably [done] but he hadn't seen it.

01-01:21:45  
O'Donnell: Well, I'd be interested to know what *done* means. Because look, a number of the commitments involved in this \$19 million are contingent on Bain coming in and doing that work on financial controls. John Wilton got everybody up in arms at the trustees meeting in October when he said—somebody didn't prep him well. [laughing] I wasn't there, but I talked to people who were and I have the draft of the minutes. Because he came in and said, "Yeah, we've got Bain coming in to see how we can enhance revenues."

01-01:22:32  
Cummins: Yeah, I heard about that.

01-01:22:32  
O'Donnell: What?? Where did that come from? So I think he got corrected on that, but I still—I saw him at a business school dinner about a month ago and he was still talking about revenue enhancement, although he was saying the appropriate words about expense controls. But I still have heard, in a number of ways from Bain, that they're really focusing on revenue enhancement.

01-01:23:00  
Cummins: Geez.

01-01:23:01  
O'Donnell: So I don't know what that means. Who's against revenue enhancement? Certainly not I. But if you're doing a full job on financial controls and then doing revenue enhancement—well, okay, that's even better, right? But I'd be very interested to see what that looks like.

01-01:23:27  
Cummins: But see, and there's another—it's counterintuitive—that it's the *donors* that are asking the university to do what they should be doing anyway.

01-01:23:38  
O'Donnell: Of course, of course. Yeah, yeah. And as I say, if it's not being done at the cost of a full analysis of financial controls, then okay. But I think Sandy paid lip service to that. I think it's clear she didn't want it done, and if she wanted

it done she would probably want revenue enhancement, right? Rather than a good hard look at management. Where do you go? I don't know. I don't see how she has any credibility left. I think they need a new AD. I'm really surprised that change hasn't been made. Maybe it's wait-for-the-new chancellor in the same way that the Birgeneau handoff was to a new AD. I don't think you need a new chancellor to have a new AD, so I don't get that.

01-01:24:48

Cummins:

I guess if you looked at Sandy from the outside, say you're at some other institution and you don't know all these details—number three Directors' Cup, she got the stadium done, she got this high performance center, she saved sports. [laughter] It's interesting, isn't it?

01-01:25:13

O'Donnell:

Yeah, yeah, yeah.

01-01:25:19

Cummins:

Anyway, do you want to say anything more about the committee issues related to it?

01-01:25:27

O'Donnell:

No, no, no.

01-01:25:30

Cummins:

Okay. That was really, really helpful. Some of the other—

01-01:25:33

O'Donnell:

I've never been able to dissemble well, so you got the unvarnished O'Donnell opinion, which is probably wrong in some details, I suspect. But it's what I saw.

01-01:25:44

Cummins:

Yeah, absolutely. And it's consistent. So—some of the other issues that come up vis-à-vis Athletics. I'll just see if you have any opinions on these.

01-01:25:58

O'Donnell:

Are you sure you wouldn't like a glass of water or a diet Coke?

01-01:26:00

Cummins:

Oh, I'm fine. So one has to do with a disproportionate share of money being spent on a small number of students. In the history, as I've looked at it, basically physical education, the Physical Education Department was dissolved in around 1997, but it was starved for many ten/fifteen years before then.

01-01:26:30

O'Donnell:

Okay.

01-01:26:30

Cummins:

If you look at the high performance center there are three physiology labs up there, but there's no money, no people, no resources to do anything with them.

It's part of this high performance initiative to do everything possible to lead to the highest-performing athlete, so blood samples would be taken and saliva tests, that whole kind of thing. And there's some effort being made now to get faculty more involved. I think it's a long process, but it's being done backwards. In other words—it would seem to me—if you knew you were going in that direction why didn't you get faculty support going in?

The issue of not having anything related to sports and athletics on the academic side of the program, is really where I'm going here. It's easy to envision—for example, Michigan has a very large program; that's a comparator institution. They have a very big physiology program, physical education, they have a sports management program, graduate and undergraduate, tied into their business school, et cetera. North Carolina also—a very good program. They both have medical schools. Whether that makes any difference or not I don't know, but UCSF is sitting over there. You could certainly build those ties. That's another area.

The Rec Sports is for the other thirty-four thousand students, and they get very little money.

01-01:28:27

O'Donnell: And that really needs help.

01-01:28:28

Cummins: Exactly, to be addressed. That would get at dealing with this issue comprehensively. So I don't know if you have any—

01-01:28:40

O'Donnell: Yeah, yeah—well, I think the contrast of the Recreational Sports Facility with the high performance center is striking.

01-01:28:52

Cummins: Yes. I just got back from Oregon, and I can't tell you—if you ever get an opportunity to go up there and take a look at their facilities.

01-01:29:03

O'Donnell: I should—you know my daughter and grandkids are in Eugene. She just moved to Eugene, and I haven't been up there yet. So I should do that. I should do that.

01-01:29:11

Cummins: Definitely, do it. And Bob Berdahl, you know, is the interim president now. And so you can easily call him and he'd set that up for you.

01-01:29:20

O'Donnell: Huh! Interesting. Interesting.

01-01:29:22

Cummins: When we were up there he went along on the tour, and it was kind of—he was being briefed as well on their intercollegiate athletic program, and it was



really amazing. But it's all Phil Knight money, and he's given, so far, \$600 million, one-third of which is to the academic program, the rest to athletics.

01-01:29:47

O'Donnell:

Okay, okay. And he already built a new business school.

01-01:29:50

Cummins:

Yes, yes. Exactly. His taxes make the difference between whether Oregon is in the black or the red, alone. [laughter]

And so that gets into this question—when I went up—and I have a co-author working with me on this, Kirsten Hexstrum, who's a PhD student, was a rower at Cal, two-time national champion, her father played football here under Mike White—she has been a tutor and an advisor in the Athletic Study Center at Cal. So when—they have a building, it's a three- or four-story building, it's all glass, that Phil Knight built just for this, the Athletic Study Center. It has the latest of everything that you could possibly think of, from a technological point of view. They have 520 athletes, their budget is \$89 million, including debt of about \$16 million in that \$89-million figure. The staff in the Athletic Study center are a lot of Berkeley people, including two PhDs who are learning specialists that work with the athletes. The building is absolutely phenomenal. I have no idea what it costs, but they did a lease/buyback arrangement with Phil Knight, so they don't have to reveal how much it costs. But I'm sure it was incredibly expensive. So Kirsten came. When you finish this—it'll be very interesting when you do this, just to see what your reaction is, the Matt[hew] Knight [Arena], again. Anyway, it's depressing on one hand, because you know what we just did and you think—it's good. There's no way it can compare.

So she came back, Kirsten, and they met—they have weekly meetings, all the staff of the Athletic Study Center, and they're very good. They do a very good job, Derek Van Rheen and others. They just couldn't believe it! At Berkeley, when the Athletic Study Center was created—this is part of the history, I was actually involved in this—was in the mid-1980s under Mike Heyman. The faculty athletic representative wasn't sure that we should do this at all, because it was viewed as a special benefit for athletes only. Mike Heyman said no, we're going to do it, and if they come after us—so then you look at a facility, twenty-five years later, like this—and you think, that's *not* a special benefit?

01-01:33:02

O'Donnell:

Yeah, sure.

01-01:33:03

Cummins:

And football, basically, and basketball to a much lesser degree, drive this whole thing. One of the things I've been thinking about is could you take, for example, maybe create a BCS division that is four conferences, sixteen teams each, everybody understands if you're in here there's a big cost involved. You

change a lot of the NCAA rules for football and basketball. If you're a good student you want to go school, fine. We'll facilitate that. If you need help, we'll provide remediation until you're ready, but you're clear about everything. You don't pretend that you're doing one thing when in fact you're running a big entertainment enterprise.

01-01:33:53

O'Donnell: Right, right.

01-01:33:54

Cummins: Any thoughts on that?

01-01:33:59

O'Donnell: You know, that is, if you step back several steps, that *is* the fundamental problem, is that this has become—you said it well—the huge entertainment business wrapped in the confines of academic institutions. And some do both well, some do neither well. Some do one well and not the other, and it's different. And yet how do you break out—there's a lot of stuff in the report about, that at the urging of a couple of people, that the chancellor should take the lead in doing some of that. What are you going to do?

01-01:34:49

Cummins: His whole life would be devoted to that and he wouldn't accomplish much.

01-01:34:53

O'Donnell: Yeah, and that was all just fluff.

01-01:34:56

Cummins: Right, exactly.

01-01:34:58

O'Donnell: So I don't know. It's—and I don't have a solution.

01-01:35:07

Cummins: Unless you'd say—it was interesting—

01-01:35:09

O'Donnell: I don't have a solution.

01-01:35:11

Cummins: —because you know Mike Heyman's views, going back to the eighties.

01-01:35:13

O'Donnell: Right, yeah, yeah.

01-01:35:17

Cummins: Before he passed away he was a very good friend, so I did a couple of these interviews with him. And I said okay—you've been chancellor, you know what this chancellor is facing, et cetera. We're talking maybe on average \$10-million-a-year subsidy. What would you do now? What would you say to the

faculty. And he said, “I’d just say to them, ‘Get the hell off my back.’”  
[laughter]

01-01:35:48

O’Donnell: Interesting, interesting.

01-01:35:50

Cummins: And maybe that’s the solution. You should say—look, and we’re not going play games anymore. This is entertainment. This is what it costs. It *is* a value for x, y, z reasons, and maybe it’s—

01-01:36:03

O’Donnell: I actually think there’s a lot to be said for that, about instead of playing games with should the subsidy be \$5 million or \$7.2 [million] or \$10.3 [million] or zero point—here’s what we’re doing. Here is the cost if we don’t do it, in terms of—minority enrollment, donors, the concept of—one of the things, and maybe this is why I felt so strongly on this Advisory Council and coming out of it is—if anybody can do everything well, it ought to be Berkeley. Berkeley ought to be capable, and Michigan and Stanford. It’s not unique to Berkeley. But to the extent you start saying—I said to somebody in the course—and this does tie in to what I was saying before but I didn’t put it this way. I will put it this way—I feel as strongly about, if you told me Berkeley is going to cut its Bulgarian languages department—if they even have one—I’d feel as strongly that that doesn’t get cut as that field hockey doesn’t get cut. In other words, what makes Berkeley “Berkeley” is the breadth of everything they do. If you don’t have a Bulgarian language department maybe this isn’t the time to start it, but—how many languages are taught at Berkeley? I think it’s thirty-four. If I’m not mistaken, because I—

01-01:37:41

Cummins: It’s a large number, yes.

01-01:37:43

O’Donnell: I think I was talking to Janet Broughton about this. I think the next university is something like in the low twenties. That’s—if you start clipping some of those things away—we can get rid of the field hockey team; we can get rid of Arabian languages and become more—you change the whole model of what this campus is about. As that’s, as I said, you can measure the cost of Bulgarian languages, but you can’t measure the loss of Berkeley losing its breadth, and that to me is what makes it special.

01-01:38:22

Cummins: Right, and of course to maintain that you’ve got to have huge philanthropy.

01-01:38:25

O’Donnell: That’s right, that’s right.

01-01:38:28

Cummins: To make it work.

01-01:38:31

O'Donnell: Yeah, I think a chancellor has to accept that this may not be the thing that he or she winds up being most comfortable with, but it is an essential part of the mission. And if faculty don't understand that, and the one woman who uses Chicago as a model—go to Chicago! If you feel that strongly, because there's—you don't want to lose faculty, but Berkeley can hire plenty of very good faculty constructed the way it is.

The other—the one other thought I don't want to lose is I do want to express some concern about the ESP thing.

01-01:39:25

Cummins: Yes, I'm glad you brought that [up]. The whole finance model.

01-01:39:27

O'Donnell: The whole financial model—

01-01:39:29

Cummins: Right, right.

01-01:39:30

O'Donnell: This idea—and the Asian Art Museum in San Francisco got in a heap of trouble doing the same thing.

01-01:39:40

Cummins: Absolutely. The same thing.

01-01:39:41

O'Donnell: And it's—I guess I'll admit my biases—forty years as a portfolio manager with a group of mutual funds, and you see investment bankers come in and out with these crazy schemes and models that show that there's only a 0.2 percent chance of this such-and-such thing happening, and we've done nineteen thousand Monte Carlo simulations, and you've seen so many of these things blow up that you get skeptical. This one worries me, because there's still a lot of seats unsold. I don't—I've—

01-01:40:22

Cummins: Oh, I think that's right.

01-01:40:24

O'Donnell: I don't know where we are now. I asked John Wilton and it was in a kind of a busy meeting, but he didn't give me a simple answer. But it was—in October there was a long way to go, and I doubt that's changed between October and April. Maybe it will between April and October. So what do you do if you've got your prime three-thousand-some-odd seats, and you've sold two thousand of them—what do you do with the other thousand seats? Do you leave them empty? And people are looking over at the prime seating and they're empty? Do you start discounting them? How does that make people feel who paid full freight? He was talking about something about—a corporate deal that would be good for three years or something—I don't know. So that's—to me—

01-01:41:18

Cummins: Well, that would be another version.

01-01:41:20

O'Donnell: Yeah, yeah, yeah. So in terms of things the Athletic Department has got to deal with right now, with all this other stuff being history—boy, how that one plays out is a concern. And some of the hyperbolic statements about this from some of the faculty are wrong in degree, but not direction.

01-01:41:52

Cummins: Yeah, that's right.

01-01:41:53

O'Donnell: So that's—I'm worried about that, I'm concerned about that one. Because you've really got a Hobson's choice. You can't keep them empty. You can't discount them. Special deal, one year only—it's a marketing problem. It's a real marketing problem. I've talked to Darcy [Heppenstall] a little bit about that, and I know that's become her headache.

01-01:42:24

Cummins: Oh, I know.

01-01:42:25

O'Donnell: By the way, I have a favorable impression of her, and I think that's a nice change.

01-01:42:31

Cummins: That's great. Well, there's something where you have seen direct change.

01-01:42:36

O'Donnell: Yeah, yeah.

01-01:42:37

Cummins: And hopefully, Laura Hazlett.

I don't know what to make of that whole model, because the payments are \$18 million for the first twenty years and then they jump to \$28-35 million or something. It's a big jump. Yeah, it's a worry. And there's so much, again, that is just luck, conditional on are you going to win or not? Are people going to show up? There's also, something we didn't talk about here, but I think is really important, is the issue of injuries and concussions in particular. In the *New York Times*, one of the writers there—I was just amazed that it even would be said—but he said he really doesn't think that football as we know it will be here fifteen years from now. That as they do more and more studies and make this connection, the parents will not want their kids to take that kind of chance.

01-01:43:42

O'Donnell: Yeah, that could be.

01-01:43:44

Cummins: It would take something as major as that, I think, to initiate a big—

01-01:43:50

O'Donnell: Or you could evolve a little the way boxing has evolved, which is it's only something you do as a way of rising up out of the lower socioeconomic status, and it's not something that kids from Atherton or Orinda are doing.

01-01:44:09

Cummins: Absolutely, absolutely.

01-01:44:12

O'Donnell: That is—I don't know if you read the *New Yorker* article, I think it was—I get backed up on *New Yorkers* and I'll read a whole bunch all at once. But I think it was about a year ago on the concussion thing. I was playing golf. I was just in Hawaii and I was playing golf with a friend who said—"Oh, it was my buddy Joe," whatever it was, he's two years older, so he was in his early seventies, two years older than Dick, who's seventy, my friend. And he was saying, "Yeah, he says he doesn't have any friends left he played football with. They're all gone. He understands the average life," and whether this figure has any accuracy or not I don't know, but he was quoting his friend as saying a figure of average life expectancy for a former football player is something in the low sixties.

01-01:45:02

Cummins: Yeah, some have taken issue with those numbers but hanging one's head repeatedly cannot be good and the autopsy numbers for CTE are very alarming. .

01-01:45:07

Cummins: Who would take that kind of chance?

01-01:45:14

O'Donnell: Well, only teenagers who think they're immortal.

01-01:45:16

Cummins: That's right, or they're invincible. That's right.

01-01:45:19

O'Donnell: And then if you go pro, because where else are you going to make that kind of money, but—

01-01:45:26

Cummins: Exactly. Right.

01-01:45:28

O'Donnell: That's a problem. And if that—the combination of if that happened at the time you're still trying to pay off the stadium by selling these [seats]—whoa! And the absence—I've seen those notes. They're non-enforceable pledges. And if you're selling thirty-year financing to somebody who's seventy, right? You

know, they do have a big bad-debt reserve against it, but bad-debt reserves don't help cash flow, so that's—

01-01:46:11

Cummins: That's right, that's right.

01-01:46:12

O'Donnell: That could be a mess. I hope it's not, but it could be a mess.

01-01:46:18

Cummins: Okay, good.

01-01:46:18

O'Donnell: It's a challenge.

01-01:46:19

Cummins: Anything else?

01-01:46:20

O'Donnell: I don't think so. I think we've covered a lot of ground.

01-01:46:22

Cummins: We did, we did. It was very, very good. I really appreciated it.

01-01:46:26

O'Donnell: Oh, glad to do it! Glad to do anything that helps. Good to talk to you.

[End of Interview]