

MINUTES OF THE
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
EXECUTIVE COMMITTEE

NCAA National Office
Indianapolis, Indiana

April 24, 2008

Participants:

Michael Adams, University of Georgia, chair
James Barker, Clemson University
Jacqueline Campbell, Atlantic 10 Conference
Debbie Chin, University of New Haven
Dan Curran, University of Dayton
John Fry, Franklin & Marshall College
Gregory Geoffroy, Iowa State University
Bruce Grube, Georgia Southern University
Stephen Jordan, Metropolitan State College of Denver
Del Malloy, Salve Regina University
Shirley Raines, University of Memphis
Edward Ray, Oregon State University
Sidney Ribeau, Bowling Green State University
Paul Tribble, Christopher Newport University
Steve Weber, San Diego State University
Nancy Zimpher, University of Cincinnati
Myles Brand, NCAA
Bernard Franklin, NCAA
Delise O'Meally, NCAA, recording secretary

Anthony DiGiorgio, Winthrop University; Michael McFarland, College of the Holy Cross; and Eddie Moore, Virginia State University, were not able to participate.

Also in attendance were: Gary Brown, director of NCAA News; Erik Christianson, director of public and media relations; Elsa Cole, vice president of legal affairs/general counsel; Joni Comstock, senior vice president of championships; Dennis Cryder, senior vice president of branding and communications; Jim Isch, senior vice president of administration/chief financial officer; Corey Jackson, director of diversity and inclusion; Tom Jernstedt, executive vice president; Dave Klossner, director of health and safety; Kevin Lennon, vice president of membership services; Wallace Renfro, vice president and senior advisor to the NCAA president; Robert Vowels, vice

president of education services; Mary Wilfert, associate director of health and safety; Bob Williams, managing director of public and media relations; David Berst, Daniel Dutcher and Mike Racy, NCAA governance vice presidents; and Beth DeBauche, Leah Nilsson, and Terri Steeb, NCAA governance directors.

[Note: These minutes contain only actions taken (formal votes or stated "sense of the meeting") in accordance with NCAA policy regarding minutes of all Association entities. While certain items on the Committee's agenda were acted on at various times throughout the meeting, all final actions within a given topic are combined in these minutes for convenience of reference.]

The meeting was called to order at 3:05 p.m. by the chair, President Adams. All members were present as noted above.

1. Welcome and announcements. Adams recognized Curran, Weber and Campbell, whose terms of service are ending, for their commitment, service and leadership in advancing the ideals, values and goals of the NCAA. He also presented them with a service award.
2. Approval of January 14, 2008, meeting minutes.

It was VOTED

"To approve the NCAA Executive Committee minutes of the January 14, 2008, meeting with an amendment to the roster of participants."

3. NCAA President's report.
 - a. World University Games. Brand called on Jernstedt to provide an update related to the World University Games. Jernstedt noted that U.S. International University Sports Federation, the official representative to the International University Sports Federation, previously had requested financial assistance for participation in the World University Games (Games). The Games, which occur biennially, offer the only opportunity for many student-athletes to compete in elite international competition. At the direction of the Executive Committee, the staff reviewed the request and has submitted for approval a three-year pilot program that provides a level of funding to be devoted exclusively to men's and women's basketball participation during the Games. If approved, the pilot program will be assessed after two years.

- b. Historically Black Colleges and Universities (HBCU) video. Franklin provided an update on a session at the 2008 NCAA Convention that focused on the history and legacy of HBCUs. The session was well attended and chronicled the early development of intercollegiate athletics at HBCUs and the remarkable contributions those institutions have made to the college athletics landscape. Franklin shared a short documentary on HBCUs that was prepared specifically for this event.
 - c. Conflict of interest policy. Franklin informed the Committee of an internal task force that has been charged with reviewing overall conflict of interest policies, including those related to NCAA staff as well as committee members. He noted that the Committee would receive a more detailed report during its August meeting.
4. NCAA Executive Committee Finance Committee report.
- a. Second quarter FY 2007-08 budget-to-actual. The Finance Committee reviewed the second quarter budget-to-actual statement and is satisfied that the Association is on target with its revenues and expenses. The NCAA has collected more than a third of its operating revenues, which is on track with the budget as compared to previous years. Overall expenses also are in line with the prior year.
 - b. Summary of reserve policies and net assets. A summary of reserve policies and net assets was reviewed in January and has been included in the Committee's meeting materials. The NCAA has approximately \$270 million in unrestricted net assets.
 - c. FY 2008-09 and FY 2009-10 revenue and expense budget. In August 2007, the Committee approved the projected FY 2008-09 and FY 2009-10 revenues and expenses allocations to establish general parameters for the upcoming biennium budget process. Brand recommended Association-wide budget proposals to the Executive Committee Finance Committee, and the Committee also received recommendations from the other divisional budget committees for divisional budget requests. The following criteria were used to make Association-wide recommendations:
 - (1) Supports the strategic plan;
 - (2) Enriches the student-athlete experience;
 - (3) Supports current reform initiatives;

- (4) Enhances the championships experience;
 - (5) Develops a more diverse and inclusive Association, or
 - (6) Enhances national office service levels.
- d. FY 2008-09 and FY 2009-10 sources and uses budget projections.
 - (1) Television and marketing rights revenues increase by the CBS and ESPN contractual amounts – approximately eight percent.
 - (2) The largest recommended allocation, representing over 58 percent of the total uses, is the Division I revenue distribution. The recommended amount is in accordance with the agreement forged in 2000.
 - (3) The Collegiate Sport LLC was organized in May 2007; the NCAA is a sole member of the limited liability companies. These activities are budget neutral and will not have any budget implications on the NCAA operating budget.
 - (4) A substantial amount of the available resources has been allocated to reserves by Executive Committee Finance Committee and divisional budget committees. The rationale for these allocations is the uncertainty of future media rights increases and the reluctance to build the base budget during uncertain times. The reserves will be used to further diversify the Association's revenue streams or will be distributed at year-end in accordance with the practices for allocating year-end money.
- e. FY 2008-09 and FY 2009-10 Executive Committee Finance Committee recommendations.
 - (1) FY 2008-09 and FY 2009-10 Association-wide recommendations.

The Finance Committee considered budget recommendations submitted by Brand, including the following:

 - (a) Diverse and inclusive Association. Programming is planned for diversity training, leadership for student-athletes of color, a football coaches' academy, women's leadership and life-work balance initiatives. Also, a three-year pilot program, funded at \$100,000 per year, will be established to provide international competition

opportunities for men's and women's basketball players as part of the World University Games.

- (b) Enhanced national office services. The national office is planning additional administrative support in key areas, including support for developing membership applications, increasing investigative coordination in enforcement, and expanding programming in education services.
- (c) Maintain existing programs. These dollars are provided to maintain program levels at existing levels. A six-percent increase is needed for championships travel, a \$5 increase for Division I championships per diem and some small increases for championship officials, representing a total of approximately \$550,000. Nearly \$1.9 million will be needed for legal and insurance cost increases, which are reflective of increased legal and settlement costs over the past few years. Approximately \$2 million will be used to provide merit increases to the NCAA national office staff. Mandatory contractual increases of \$700,000 need to be budgeted to fund expenses such as building maintenance, shipping and Association-wide drug testing. Approximately \$1.1 million is necessary to backfill the interest earnings budget that was allocated to the quasi-endowment in 2004 by the Executive Committee.
- (d) Protect and diversify Association revenue streams. Major allocations are planned for the youth basketball initiative that the Executive Committee has supported in the past. The \$2 million will be used as part of the start-up funding needed to launch the program. Finally, over \$900,000 in the first year of the biennium and nearly \$2 million in the second year of the biennium will be allocated to the reserve and investment fund categories.

It was VOTED

“To approve the fiscal year 2008-2009 budget and the fiscal year 2009-2010 new initiatives.”

f. Executive Committee Investment Subcommittee update.

The Executive Committee Investment Subcommittee met in Chicago last December to review fourth quarter performance, as well as annual performance. The Association's core operating reserve had an 8.1-percent return for calendar year

2007, while the Association's quasi-endowment reserve had a 6.6-percent return for calendar year 2007. The finance committee approved a global equity manager, Capital Research, to the quasi-endowment equity portfolio. Capital Research will provide another asset allocation strategy to the portfolio.

5. Report from Executive Committee working group on membership issues. The Committee received a report from Curran on the work of the NCAA Executive Committee working group on membership issues. Curran noted that the working group met March 31 and comes before the Committee with a recommendation that it not support the concept of creating a subdivision of Division III or a new division at this time. Additionally, the working group recommends that the Executive Committee terminate the charge of this group.

Curran noted that the working group's primary charge was to study and oversee the development of structural models to address the growth and diversity within Division III, while also reviewing key membership issues in the other divisions. Over the past 15 months, the group has reviewed a significant amount of data and information regarding the pros and cons of creating either a subdivision or a new division to address current and future membership issues in Division III. At the 2008 Convention, the working group presented two models and engaged the Division III membership in roundtable discussions. A survey of the entire Division III membership also was conducted in February.

Feedback received from the membership during the Convention, as well as through the survey instrument, overwhelmingly underscores a desire to maintain Division III and to focus on other ways to manage membership growth. The Division III working group has offered several recommendations through its governance structure to continue looking at ways of managing growth and diversity in Division III. The working group believes that this membership issue has been comprehensively studied, and, given the current climate in the membership, it is appropriate at this time to conclude its work. The Executive Committee supported the recommendation.

6. Litigation update. The Committee received a report from the NCAA general counsel regarding litigation and settlement actions.
7. NCAA Division I Board of Directors and Divisions II and III Presidents Councils reports.
 - a. Division I Board of Directors. The Committee received an update on the actions of the Division I Board of Directors. These included the following:

- (1) Committee on Infractions/Infractions Appeals Committee. Charged the staff with developing accountability measures for the Division I Committee on Infractions and Infractions Appeals Committee. It instructed the staff to report back to the Board of Directors once the measures are developed to ensure the proper level of oversight. The Board anticipates that, thereafter, it will receive annual reports from both committees.
 - (2) Legislative items. Received a report from the April 14 Division I Management Council meeting and considered 14 legislative items, which were remaining in the 2007-08 Division I legislative cycle. The Board adopted 12 of the proposals and defeated two proposals. In defeating the proposals, the Board noted both proposals sought to change legislation that had only been recently adopted.
 - (3) FY 2008-09 and FY 2009-2010 Division I budget. Approved the proposed FY 2008-09 and FY 2009-10 Division I budget, a proposed championships review and the expansion of the bracket for the Division I football championship to 20 in 2010.
 - (4) Committee on Academic Performance (CAP). Received a report of the April 21-22 CAP meeting and reviewed year four data. The Board noted that the data show real and significant results in all sports but men's basketball, which is improving but at a slower rate. It also learned that more than 4,000 student-athletes have returned to campus after leaving to earn a graduation bonus point.
 - (5) Basketball Academic Enhancement Group. Received an update on the ongoing work of the Basketball Academic Enhancement Group, which has been charged with identifying strategies for helping to improve the academic performance of men's basketball student-athletes, within the structure of academic reform. The Board members underscored their commitment to academic reform.
- b. Division II Presidents Council. The Committee received an update on the actions of the Division II Presidents Council. These included the following:
- (1) Division II Presidents meeting and game environment Web site launch. Met with the presidents and chancellors who chair the Division II conferences' governing boards Wednesday, April 23, to discuss Division II finances, game environments and presidential involvement. During the meeting, Nathan Mueller, Hardwick-Day, launched the Division II partial scholarship simulation model, which will provide assistance to current and

potential Division II member institutions when reviewing athletics scholarships programs. Additionally, Darren Treasure, CAI Performance Systems, and Creative Street Media Group launched the Division II Game Environment Web site, which will be housed at diicomunity.org, the same location as the Division II Community Engagement Web site.

The presidents and chancellors who attended the meeting affirmed the following statement related to game environment.

The Division II Presidents Council and representatives from Division II conference governing boards affirm that athletics events should reflect the values of higher education and the mission of each institution. Division II emphasizes learning and development in a personal setting. As chancellors and presidents, we are concerned about the uncivil behavior exhibited at college athletics contests and, thereby, pledge to work together to make respectful, family-friendly events a standard of the Division II experience.

- (2) Model Life Skills Resource. Endorsed the final draft of the Division II Model Life Skills Resource, which was developed by the NCAA governance interns. The publication was created for campus administrators in student affairs, academic affairs and athletics as a resource to assist institutions in developing and implementing a life skills program on campus; improve programs being offered; and integrate campus resources into student services and programming for student-athletes and student fans.
 - (3) Emergency legislation. Adopted emergency legislation to amend NCAA Bylaw 15.3.4.3 (financial aid – reduction or cancellation during period of award – reduction of cancellation not permitted – injury, illness or medical condition) to specify that institutional financial aid based in any degree on athletics ability may not be reduced or canceled during the period of the award because of an injury, illness or physical or mental condition.
 - (4) Vice-chair election. Elected Beverley Pitts, University of Indianapolis, as the next vice-chair of the Presidents Council, replacing Eddie Moore, whose term ends September 1. Dr. Pitts will serve a one-year term of office, with the option to seek a second term in 2009.
- c. Division III Presidents Council. The Committee received an update on the actions of the Division III Presidents Council. These included the following:

- (1) FY 2008-09 and 2009-10 Division III budget. Approved recommendations from the Division III Strategic Planning and Finance Committee for the two-year budget cycle beginning in fall 2008. The budget includes an increase in championships per diem and an increase in officials' per diem. It also includes funding for nonchampionships initiatives, including additional dollars for the Strategic Initiative Conference Grant Program and the Division III Ethnic Minority and Women's Internship Grant Program.
- (2) Financial aid violations. Approved a plan recommended by the Division III Financial Aid Committee to move toward more punitive measures for violations of legislation discovered during financial aid reporting and reaffirmed the committee's role in recommending appropriate penalties in enforcement proceedings. The committee, which has encouraged penalties that are educational in nature during the first three years of the annual financial aid reporting process, could recommend such sanctions as public reprimands and loss of membership benefits and championships access in cases where violations are found.
- (3) Legislative items. Agreed to sponsor two legislative proposals for the 2009 Convention. One would permit coaches to provide a workout program tailored to specific needs and limitations of an individual student-athlete (while continuing to prohibit coaches from conducting such workouts and reaffirming that the activity must be voluntary). The other would reinstate a requirement that an institution's team be charged with its once-in-three-years opportunity for a foreign tour if more than a limited number of student-athletes representing that institution participate on an outside team during a foreign tour.
 - (a) Membership issues. Engaged in a discussion of membership issues, including the following:
 - Reviewed and discussed the membership survey results.
 - Accepted the information from the Division III Working Group on Membership Issues that the working group should be dissolved based on the membership's expression of satisfaction with the current membership structure.
 - Agreed to present the Division III Chancellor/Presidents Advisory Group with a white paper at its August meeting. The white paper should emphasize the importance of membership input, and especially presidential input, as the division considers the practical application of its philosophy statement in

light of membership growth. Membership survey results will serve as the basis on which to begin this conversation.

8. NCAA drug-testing results for 2005-06 and 2006-07. The Committee received a report regarding the overall drug-testing program and drug-testing results from 2005-06 and 2006-07. It noted that steroid use has decreased dramatically, possibly due to enhanced education, increased media and congressional focus on drug testing, as well as federal regulations. Stimulant positives are up, and street drug positives (marijuana) have increased in the last two years similar to the rate of increase by non-student-athletes. The Committee noted, however, that the overall rate of positive drug tests among student-athletes continues to fall below that of the general student body. Finally, the Committee noted that future NCAA drug-testing discussions include an ongoing review of human growth hormone testing, support for drug-testing research to better detect “designer” steroids and the development of more economic drug testing options.

It was VOTED

“To approve the drug-testing results for publication.”

9. Association-wide committee meeting frequency requests. Pursuant to the Association’s bylaws, the Committee is required to authorize exceptions for Association-wide committees to hold more than two meetings per year. Three of the nine Association-wide committees requested waivers: (1) the NCAA Committee on Women’s Athletics; (2) the NCAA Minority Opportunities and Interests Committee; and (3) the NCAA Postgraduate Scholarship Committee.

It was VOTED

“To approve the requests from the committees for the 2008-09 and 2009-10 academic years.”

10. NCAA Executive Committee Subcommittee on Gender and Diversity Issues. The Executive Committee Subcommittee on Gender and Diversity Issues report included updates from the Committee on Women’s Athletics and the Minority Opportunities and Interests Committee. It also provided an update on the implementation of recommendations from the Diversity Leadership Strategic Planning Committee. The subcommittee reported it discussed a new initiative designed to recognize institutions for excellence in diversity

and inclusion. The Diversity in Athletics Award, which is administered by Texas A&M University in partnership with the NCAA, will recognize diversity excellence in several categories for all three divisions. The subcommittee also reviewed diversity demographics within the new Division I governance structure and noted that the diversity requirements were met and, in some areas, exceeded.

11. Future meetings. The Committee reviewed its future meetings schedule.

12. Adjournment. Adams adjourned the meeting at 4:45 p.m.

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