MINUTES OF THE

NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

EXECUTIVE COMMITTEE

NCAA National Office
Indianapolis, Indiana

August 6, 2009

Participants:

Michael Adams, University of Georgia, chair
Charles Bantz, Indiana Univ.-Purdue Univ. at Indianapolis
James Barker, Clemson University
Damon Evans, University of Georgia
Judy Genshaft, University of South Florida
James Harris, Widener University
Stephen Jordan, Metropolitan State College of Denver
Robert Kustra, Boise State University
Lynn Oberbilling, Smith College
Ann Millner, Weber State University
Harvey Perlman, University of Nebraska, Lincoln
John Peters, Northern Illinois University
Beverley Pitts, University of Indianapolis
Thomas Powell, Mount St. Mary's University
Shirley Raines, University of Memphis
Edward Ray, Oregon State University
Tim Selgo, Grand Valley State University
Paul Trible, Christopher Newport University
Myles Brand, NCAA
Bernard Franklin, NCAA
Delise O'Meally, NCAA, recording secretary

Kevin Mullen, Siena College, was not able to participate.

Also in attendance were: Troy Arthur, director of diversity and inclusion; Scott Bearby, managing director of legal affairs; Gary Brown, director of NCAA News; Elsa Cole, vice president of legal affairs/general counsel; Joni Comstock, senior vice president of championships/senior woman administrator; Dennis Cryder, senior vice president of branding and communications; Jim Isch, senior vice president of administration/chief financial officer; Tom Jernstedt, executive vice president; Kevin Lennon, vice president of academic and membership affairs; Keith Martin, managing director of finance and operations; Rachel Newman, director of agents, gambling and amateurism; David Price, vice president of enforcement services; Wallace Renfro, vice president and senior advisor to the president; Greg Shaheen, senior vice president of basketball and business strategies; Robert Vowels, vice president of educational affairs; Charlotte Westerhaus, vice

president of diversity and inclusion; Bob Williams, managing director of public and media relations; David Berst, Daniel Dutcher and Mike Racy, NCAA governance vice presidents; and Beth DeBauche, Leah Kareti, 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 1:15 p.m. by the chair, President Adams. The Committee convened an executive session to discuss personnel matters. All members were present as noted above.

1. Welcome and announcements. Adams welcomed all attendees and specifically welcomed Ann Millner, president of Weber State University and the chair of the Division I Presidential Advisory Group, and Judy Genshaft, president of the University of South Florida.

2. Approval of April 30, 2009, meeting minutes.

   It was VOTED

   "To approve the Executive Committee minutes of the April 30, 2009, meeting as distributed."

3. NCAA President's report. President Brand provided updates, discussed a series of initiatives and sought Executive Committee input.

   a. Building renovation and addition. Brand called on Isch to discuss a proposed addition to the NCAA national office building. Isch and Bill Browne of Ratio Architects, Inc., noted that, due to a variety of factors, the national office has experience outages in recent years, resulting in temporary loss of service to the membership. In 2006, a fire in the Hall of Champions caused significant water and smoke damage to the facility requiring an investment of approximately $2.8 million to restore and renovate. During the fire and cleanup of the damage, the telecommunications room, housing all of the Association's servers and switches for the phone and computer systems, was interrupted because of heat and water.

Approximately seven months later, the chilled water supply line feeding the building was cut by a construction project that again interrupted the technology systems in the building. Most recently, an August 4 power outage interrupted service for an extended period of time. The location of telecommunications equipment in the basement of the building makes it impossible to provide sufficient exhaust and protection for the equipment. The proposed addition to the west end of the national office building would accommodate relocation of technology facilities and also provide the opportunity for an expanded kitchen facility to meet the increased catering needs associated with the new Association policy of holding more committee meetings in Indianapolis.

The Committee also discussed the construction of a new building to the west of the current facility and requested that staff distribute the rationale and financing plan at its October meeting. In the interim, it was requested the plan be shared with conferences.

It was VOTED

"To approve the building addition on the west end of the national office building to accommodate technology and kitchen facilities."

b. Update on new membership initiatives. The Committee received a report from Chancellor Bantz on a recent meeting between National Association of Intercollegiate Athletics (NAIA) presidents and NCAA presidents to discuss opportunities for continued collaboration between both organizations and the feasibility of a greater structural relationship. The NCAA was represented by Chuck Ambrose (Pfeiffer University), Stephen Jordan (Metropolitan State College of Denver), James Bultman (Hope College), David Joyce (Ripon College) and Charles Bantz (Indiana University-Purdue University at Indianapolis). The NAIA presidents were Rick Artman (Viterbo University), Ted Brown (Martin Methodist University) and John Reynders (Morningside College). Various staff members from both associations also attended. Bantz noted that the group agreed that the value proposition for further discussion and exploration includes the ability to enhance the overall experience for student-athletes across the nation regardless of affiliation; a broader more proactive strategy for managing membership growth and transition; increased efficiency and effectiveness through greater economies of scale, realized synergies; greater opportunities for in-region competition and the development of local rivalries. Additionally, Bantz noted several conditions that would govern further discussion, including an expectation that any structural relationship should be cost neutral to the NCAA.

The Committee discussed the overarching concerns related to membership growth and noted that each division, in recent years has engaged in discussions on this point. While not endorsing a specific action plan for further discussions with the

NAIA, the Committee recommended exploration from an Association-wide perspective of possible benefits or concerns related to membership growth within the NCAA.

c. Anheuser-Busch marketing strategy. Shaheen informed the Committee of a recent marketing strategy undertaken by Anheuser-Busch that brands beer cans with college and university colors and logos. The Committee expressed significant concern about this practice and encouraged institutions that may be impacted within these markets to contact local distributors to request a halt to such activities.

4. NCAA Executive Committee Finance Committee report.

- Third quarter FY 2008-09 budget-to-actual. The Finance Committee reviewed third quarter budget-to-actual report and noted that the Association is on track to meet its budget projects.

  (1) Revenue. Actual revenues and expenditures will be within targets, and the planned $5 million in savings will be met by the end of the fiscal year. Television and marketing rights fees will exceed budget projections as a result of licensing and international revenues exceeding planned expenses. Championships revenue is behind the previous year's trend due to timing differences on when dollars are received. Although some championships may not make the planned budget due to the economic conditions, it is expected the overall planned revenues for championships will make its budget in the fourth quarter.

  (2) Expenses. Division I expenses are two percentage points behind the prior year, primarily due to the decrease in the Association's year-to-date travel expenses of approximately 16 percent. This is due to changes in travel policies and competitive charter and airfares during the fiscal year. Divisions II and III expenditures also are within budget parameters and should meet planned budget projections for the year. Association-wide expenditures of approximately $98.5 million are 74 percent of the budgeted expenditures. It was noted that President Brand made budget reductions of approximately $5 million in Association-wide expenditures to provide a fiscal year 2008-09 supplemental distribution to the membership. As a result of these reductions, in comparison to the budget, actual expenses are seven percentage points higher in the current year when compared to the previous year. Actual results are on target to achieve the midyear budget reductions. Based on third quarter financial results, the Association will be within budget parameters and likely will have a year-end surplus for fiscal year 2008-09.

5. Litigation update. The Committee received a report from the NCAA general counsel regarding litigation and settlement actions.

6. NCAA championships policy related to sports wagering. The Committee reviewed a request from the agents, and gambling activities staff to consider revising the championships policy that regulates championships competition within states that conduct sports wagering. The staff noted that the policy precludes NCAA championship events in metropolitan areas with legal wagering that is based on the outcome of any event (i.e., high school, college or professional) in a sport in which the NCAA conducts a championship. The revised policy focuses on legal wagering that is based on single-game betting and clarifies that the provisions of the policy apply to all championship sessions, inclusive of predetermined and nonpredetermined sites. Furthermore, the revision clarifies the boundary within which the policy applies. The Committee noted that single-game betting is defined as wagering that involves either a money line or point-spread wager. The recommended policy does not apply to states that may offer parlay betting, lottery tickets or sports pools/pull tabs. The Committee agreed that the integrity of the game is most clearly at risk when single-game betting occurs, with heightened possibilities for point-shaving schemes and other methods of directly affecting the outcome of a game. It also noted that, given the Association's strong stance against sports wagering, the policy should apply to all championship sites within those states, regardless of whether an institution earned the right to host a championship event.

It was VOTED

"To approve the policy as noted, effective immediately.

"No predetermined or nonpredetermined session of an NCAA championship may be conducted in a state with legal wagering that is based on single-game betting on the outcome of any event (i.e., high school, college or professional) in a sport in which the NCAA conducts a championship."

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 that included the following:

(1) Men's basketball enforcement initiative. Received a report from the NCAA enforcement staff regarding steps being taken to improve the overall environment surrounding men's basketball. The staff noted that there appears to be a common perception that current bylaws cannot be enforced regarding hiring practices and remuneration schemes designed to limit

access to recruits. Further, it noted that related interpretations and legislation were being reviewed with the goal of establishing a clear and unambiguous line regarding violations, thereby putting the membership on notice of a new direction by the enforcement staff.

(2) National Association of Basketball Coaches (NABC) communications plan. Received an update from the NABC regarding the Association's efforts to develop a communications plan to serve as a catalyst for dialogue among presidents and coaches on the campus, conference and national levels. The Board noted that the goal of the plan is to foster improved understanding of the academic and athletics issues impacting the men's basketball program.

(3) Men's Basketball Academic Enhancement Working Group. Received the final report of the Men's Basketball Academic Enhancement Working Group. The working group noted that men basketball players, as a group, come to Division I institutions less prepared academically and leave Division I institutions at a higher rate than any other sport. This is illustrated by the fact that approximately 40 percent of entering freshmen in the sport leave their initial institutions by the end of the second year. The working group also noted that prospective and enrolled student-athletes are inundated by unregulated third parties who push the young men to commit early to a professional career or, in some instances, encourage them to transfer. The working group offered a series of recommendations designed to achieve greater student-athlete retention by providing the type of skills enhancement student-athletes desire, along with opportunities for better academic preparation, learning skills and an enhanced coach-player relationships.

(4) Committee on Academic Performance (CAP). Received a report from the CAP July 2009 meeting and was informed that, while the committee discussed the possibility of identifying other institutional representatives (e.g., chancellor/president, director of athletics) to be included within the Academic Progress Rate portfolio, given the complexities and administrative burden associated with reporting such information, the committee elected to include such information at this time.

(5) Division I Leadership Council. Received an update from the chair of the Leadership Council and noted that the group is continuing its work on developing proposed new Division I membership standards, with a focus on helping potential members better prepare through the transition process so that, on becoming full Division I members, the impacted student-athletes have a full and positive experience. It was noted that the Council will

continue its work during its October 2009 meeting with the hope of completing its charge over the next six to eight months, with recommendations to be reviewed by the Board during the spring of 2010.

(6) Division I Legislative Council. Received a report from the chair of the Legislative Council and learned that two legislative proposals (Proposal Nos. 2008-46 and 2006-59) have received sufficient requests to override the Legislative Council's adoption during its April meeting. The Board took no further action on either proposal, thereby allowing both proposals to be considered by the membership during the Division I business session at the 2010 NCAA-Convention.

b. Division II Presidents Council. The Committee received an update on the actions of the Division II Presidents Council that included the following:

(1) NCAA Bylaw 17 (playing seasons). In an effort to align the playing seasons with the division's positioning statement of "life in the balance," the Council agreed to sponsor legislation for the 2010 Convention to amend Bylaw 17 as follows:

(a) Fall sports. Amend the length of the preseason practice period by moving the first date of competition for fall sports to one week later and reduce the maximum number of contests in several fall sports.

(b) Winter break. Prohibit student-athletes from practice or competition during a winter dead period from December 20 through December 26.

(c) Spring sports. Reduce the maximum number of contests in baseball, golf and softball.

(d) Winter sports. Reduce the maximum number of contests in men's and women's basketball to 26 games.

(2) New Division II member institutions. The Division II Membership Committee admitted one institution into active Division II member status (Lake Erie College-Ohio) and accepted applications from seven institutions to enter into year one of the candidacy period in Division II, effective September 2009. Among these institutions is the first Canadian institution to make application into the NCAA – Simon Fraser University in Burnaby, British Columbia.

(3) Meeting with Hispanic Serving Institutions. The Presidents Council is planning for an October 28 meeting with presidents and chancellors of Division II institutions that are considered Hispanic-serving institutions. Twenty-two Division II institutions have been identified to participate in this meeting.

(4) Keynote Speaker at 2010 NCAA Convention. Secured a keynote speaker for its Friday morning general session at the Convention, as well as the chancellors and presidents meeting and luncheon that same day. Brigadier General (Ret) Sheila Baxter, who is a former student-athlete from Virginia State University and highly decorated retired army officer, has agreed to address the Division II membership on her thoughts about "life in the balance."

(5) Division II Make-A-Wish fundraising. The Division II Student-Athlete Advisory Committee (SAAC) completed its sixth consecutive year of fundraising for Make-A-Wish. In 2003-04, the committee adopted the program as its special project, raising less than $20,000 in the first year. Since that time, the committee has consistently increased its efforts each year, and this year raised more than $333,000 for the organization. Total funds raised to date by the Division II SAAC for Make-A-Wish now exceed $1 million dollars.

c. Division III Presidents Council. The Committee received an update on the actions of the Division III Presidents Council. These included:

(1) Presidents and Chancellors Advisory Group meeting. The Division III Chancellor/Presidents Advisory Group met Wednesday evening to discuss the Division III identity initiative and concepts to further presidential leadership at the campus, conference and institutional levels. The group also advised the Presidents Council on the Division III budget, strategic plan, Convention activities and proposed legislation.

(2) Division III Identity Initiative. The Chancellor/Presidents Advisory Group and the Presidents Council received a presentation from strategic communications consultant Jeff Jacobs regarding the division's effort to more clearly articulate its identity, both in philosophy and practice. Mr. Jacobs summarized the process used to examine the Division III student-athlete experience and shared results of both the qualitative and quantitative research conducted to facilitate this effort. The overall objective of the initiative is to articulate the positive values of the Division III experience, capturing the essence of the philosophy in a clear and concise manner.

(3) Presidential leadership. Approved language for a 2010 Convention proposal to specify in the Division III Philosophy Statement the expectation for presidential leadership in intercollegiate athletics at the campus, conference and national governance levels. Further, the Council adopted a policy to establish a more focused "presidential grouping" of proposals at each year's Convention and endorsed the establishment of a standing Wednesday night planning session in conjunction with each quarterly meeting of the Presidents Council. Adding additional planning sessions for the Presidents Council prior to its regular meetings will allow the group to focus on strategic concerns and key divisional issues and direct attention to working reports and other business items during the regular Thursday meetings. The Council also discussed additional legislative and policy changes to further presidential leadership than may be considered at the 2011 Convention.

(4) 2009-10 Strategic Plan. Approved the 2009-10 Division III Strategic Plan, which was revised to include recommendations from the Division III White Papers on Membership Growth, as well as establish five specific priorities for 2009-10.

(a) Define a distinct philosophy for Division III that emphasizes the educational value of the holistic student experience.

(b) Establish a greater strategic role for presidents in the Division III governance structure.

(c) Establish meaningful goals and objectives for diversity and gender equity issues.

(d) Further student-athlete well-being by determining the most appropriate drug education and testing program(s) for the division.

(e) Enable institutions to assess adherence to the Division III philosophical principle that student-athletes should have academic performance consistent with the general student body.

(5) Membership requirements penalty structure. Endorsed noncontroversial legislation to amend the membership requirements penalty structure where failure to meet sport sponsorship requirements would result in a five-year penalty and failure to complete the Institutional Self-Study Guide or to meet the attendance requirements for NCAA Convention or NCAA regional rules seminars would result in a three-year penalty. This replaces

the previous 10-year penalty structure for all membership requirements, which was deemed to be overly punitive.

(6) Playing Rules Oversight Panel. Voted to formally request that the Playing Rules Oversight Panel delay the implementation of two playing rules for Division III institutions, based on financial hardship. This appeal would include the scheduled implementation in 2010 of playing rules that would require a lighted backboard in basketball and a wireless microphone for the referee in football. The Council's primary concern relates to the costs associated with these rule changes in light of the current economic environment.

8. NCAA drug-testing update. The Committee received a response from the NCAA Committee on Competitive Safeguards and Medical Aspects of Sport (CSMAS) on the issue of the increased NCAA drug testing. CSMAS noted that drug testing is a part of a comprehensive approach to deter drug use, including strong written policy and effective education conducted at both the national and local level. It further noted that the frequency of testing events provides more of a deterrent effect than does increasing the number of tests at a testing event, and, therefore, deterrence may be increased through more year-round repeat testing and increased summer testing events. CSMAS will review a report from the NCAA staff and National Center for Drug Free Sport, Inc., on the best allocation of resources for deterrence of drug use.

9. NCAA Executive Committee Subcommittee on Gender and Diversity Issues. The Committee received the subcommittee's report, which included updates from the NCAA Committee on Women's Athletics and the NCAA Minority Opportunity and Interests Committee. The subcommittee engaged in discussion on the issue of diversity and gender representation within the governance structure, but specifically as related to Association-wide committees. The subcommittee noted that while NCAA Constitution 2.7 speaks to a commitment to diversity within the divisional governance structure, the language does not specifically address Association-wide committees. The subcommittee will seek additional data on diversity trends and explore solutions to ensure appropriate representational diversity on Association-wide committees. It also will engage in a review of its overall structure and composition to determine whether it is strategically positioned to effectively fulfill its charge.

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

11. Adjournment. Adams adjourned the meeting at 4:05 p.m.

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