MINUTES OF THE

NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

EXECUTIVE COMMITTEE

NCAA National Office
Indianapolis, Indiana

October 29, 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
Kevin Mullen, Siena College
Harvey Perlman, University of Nebraska, Lincoln
John Peters, Northern Illinois University
Beverley Pitts, University of Indianapolis
Shirley Raines, University of Memphis
Edward Ray, Oregon State University
Tim Selgo, Grand Valley State University
Paul Trible, Christopher Newport University
Bernard Franklin, NCAA
Jim Isch, NCAA
Delise O'Meally, NCAA, recording secretary

Drew Bogner, Molloy College, attended a portion of the meeting. William Harvey, Hampton University, was not able to participate.

Also in attendance were: 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; Greg Shaheen, senior vice president of basketball and business strategies; Keith Martin, interim vice president of administration/chief financial officer; Kevin Lennon, vice president of academic and membership affairs; Todd Leyden, president of the Eligibility Center, LLC; 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 Jacqueline Campbell, 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 by the chair, President Adams. All members were present as noted above.

1. Welcome and announcements. Adams welcomed all attendees and noted the appointment of new member William Harvey from Hampton University.

2. Executive session. Adams convened an executive session during which the Committee received an update from NCAA Interim President Jim Isch and other staff members.

3. Approval of August 6, 2009, meeting minutes.

   It was VOTED

   "To approve the Executive Committee minutes of the August 6, 2009, meeting as distributed."

4. Interim President's report. Adams noted that the Interim President's report was received during executive session. The Committee took action on two items:

   a. The Committee approved with unanimous support, and one abstention, funding for a building addition to the NCAA national office. Construction will begin in spring 2010 and is projected to be completed early in 2012.

   b. The Committee endorsed with unanimous support, and one abstention, a contribution from the NCAA to the Myles Brand Chair in Cancer Research at the Indiana University School of Medicine.

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

6. NCAA Limited Liability Company (LLC) updates. The Committee received an update on NCAA Limited Liability Companies, including the NCAA Eligibility Center, ArbiterSports and the NIT. Todd Leyden, president of the NCAA Eligibility Center, LLC, provided an overview of the Eligibility Center's mission and scope of operations, as well as challenges and areas of focus for the foreseeable future. Leyden noted that last year the Eligibility Center conducted a survey of the membership to determine whether it was meeting its service goals. The results from that survey were generally favorable. A follow-up survey will be released in the coming year. Greg Shaheen, senior vice president of basketball and business strategies, provided updates on ArbiterSports and the NIT. Shaheen noted that the five-year period within which the NCAA committed to retaining the NIT in the New York area was coming to a close, and decisions would be made regarding the future location of that event.

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) Infractions Appeals Committee policies. Unanimous approval of the following recommendations for two changes to the Infractions Appeals Committee's policies:

         (a) Modification to NCAA Bylaw 32.10.1.2 to require individual appellants to disclose current or future employment at a member institution.

         (b) Modification of the committee's policies and procedures to require individual appellants to disclose current or future employment at a member institution.

      (2) Men's Basketball recruiting. Received a presentation from several members of the enforcement staff, four commissioners and the executive director of the National Association of Basketball Coaches regarding recurring issues of concern in the men's basketball recruiting world. The Board approved the group's proposed four-tier plan that will begin to address the recruiting issues in question.

(3) Eligibility for team selection to a bowl game. Agreed to sponsor legislation presented by the Big 12 Conference that would, in the Football Bowl Subdivision, permit an institution with a final winning percentage of .500 or better to be selected for participation in a bowl game.

(4) Men's Basketball Academic Enhancement Group. Reviewed proposals recommended by the Men's Basketball Academic Enhancement Group and expressed concern regarding the proposals related to the summer athletics development-retention model and providing travel expenses for parents accompanying prospects on official visits. The Board agreed not to enter these proposals into the 2009-10 legislative cycle but rather use them as a discussion topic at the Division I Forum during the January NCAA Convention in an effort to encourage all parties (coaches, faculty, commissioners and administrators) to seek consensus in initiatives that will enhance graduation rates. It voted unanimously to sponsor the remaining proposals in this year's legislative cycle.

(5) Elections. Identified Harvey Perlman, University of Nebraska, to serve as chair of the Board when President Barker's term end, which will be following the April 2010 meeting. Additionally, with the departure of Tom Powell, the Board selected William Harvey, to serve as the NCAA Football Championship Subdivision representative on the Executive Committee.

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

(1) Life in the Balance Initiative. Continued discussions related to the division's Life in the Balance initiative. The Life in the Balance Initiative is a four-proposal package that aligns Division II legislation with its strategic positioning platform. It was designed to streamline playing and practice seasons and reduce contests, where appropriate, to ensure a stronger balance between academics and athletics. As a supplementary effect, the package also introduces better business practices, alleviating some of the financial pressures plaguing higher education. Division II members will vote on the package of legislation at the NCAA Convention in January.

(2) 2010 Division II priorities. Endorsed the 2010 priorities, which correspond with the five strategic goals and funding initiatives of the 2009-12 Division II strategic plan, and emphasize three overarching strategies for Division II: a) continuing to work to engage chancellors and presidents with strategic issues; b) working to sustain the Division II "Life in the

Balance" strategic positioning platform in all student-athlete well-being, regulatory, financial and membership decisions; and c) promoting the institutional benefit and value of Division II membership.

(3) Division II Championships Festival. Selected Louisville, Kentucky, as the site for the 2010 Division II National Championships Festival, to be conducted November 30-December 4. The festival will be co-hosted by Bellarmine University and the Louisville Sports Committee. This will be the fifth Championships Festival that Division II has staged and the second time for fall sports. Championships will be crowned in the sports of men's and women's cross country, women's volleyball; field hockey and men's and women's soccer.

(4) Presidents Council chair. Elected Drew Bogner, president, Molloy College, to serve as chair of the Presidents Council in 2010. President Molloy also will be eligible to run for and serve a second term, if he so desires.

(5) Management Council chair. Kathleen Brasfield, director of athletics at Angelo State University, was elected to serve as chair of the Management Council in 2010.

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

(1) Division III Identity Initiative.

(a) Reviewed the final draft of the Strategic Positioning Platform, a document which describes the essence of Division III and highlights key communication points specific to different audience, both internal and external to the membership.

(b) The Convention will include a full membership release of the platform, including a creative video depicting the essence of Division III and other creative expressions of the platform.

(c) Pre-Convention outreach has or will include teleconferences with all members of the Presidents Advisory Group, all Division III presidents, senior administrators with athletics oversight and several other key constituents, including commissioners, chairs of governance committees, attendees at the Faculty Athletics Representative Association annual symposium, the board of the National

Association of Division III Athletics Administrators, representatives from the College Sports Information Directors Association, and the Student-Athlete Advisory Committee.

(d) The Pre-Convention outreach effort also includes four pilot conference meetings, where Division III athletics administrators have been presented with the details of the platform, and have engaged in a dialog about what methods or materials would prove most useful and effective for institutions and conferences to communicate the contents of the platform to internal and external constituents.

(e) Long term, the division will continue to develop materials to activate the platform, which will also guide strategic, financial and policy decisions for the division.

(2) Drug education and testing pilot. Reviewed the results of the recently concluded Drug Education and Testing Pilot, which was a study designed to test the deterrent effect of an education-based drug prevention program supplemented by academic year round drug testing. Student-athlete well-being and competitive equity were the guiding principles of the pilot study, which also assessed student-athlete and athletics administrator perceptions and experiences with drug education and testing. The results of the pilot, especially related to drug testing, proved largely inconclusive. Awareness, understanding and perceptions of the educational programs and processes in place to deter substance use are at less than desired levels.

The next steps in the division's exploration of academic year round drug testing includes further refinement of the meaning of the pilot results leading to a 2011 NCAA Convention presentation of pilot results. A full release of the results will not occur until after the January Convention. Any change to the division's current drug testing program would not be implemented without a full membership vote, which would likely not take place until the 2012 Convention.

(3) 2010 Convention legislation. Reviewed the nine proposals up for membership vote at the 2010 Convention, approved voting order and proposal groupings, and took positions on membership-sponsored proposals.

One significant proposal would clarify in the Division III philosophy statement expectations for presidential leadership at the campus, conference and national levels. This important concept is based on the NCAA

model of presidential leadership but has not previously been codified in the philosophy statement.

Other significant proposals would deregulate Division III tryout legislation, and practically address the issue of facility monitoring by athletics personnel in light of the strict Division III prohibition on out-of season skill instruction.

(4) Presidents Council leadership. Appointed James Harris and James Bultman to serve as chair and vice chair, respectively, of the Division III Presidents Council, effective January 2010 to January 2011.

The Presidents Council approved four nominations to the Presidents Council for four-year terms (January 2010 – January 2014):

(a) Brian Levin-Stankevich, University of Wisconsin, Eau Claire.

(b) Frederick Ohles, Nebraska Wesleyan University.

(c) Rosalind Reichard, Emory and Henry College.

(d) Jack Ohle, Gustavus Adolphus College.

8. NCAA Executive Committee Subcommittee on Gender and Diversity Issues. The Committee received a written report of the work of the Executive Committee Subcommittee on Gender and Diversity Issues. The subcommittee is discussing representational diversity on Association-wide committees and also is currently reviewing its overall structure and composition to determine whether it is strategically positioned to effectively fulfill its charge.

9. Election. The Committee approved the appointment of Ed Ray as chair of the Executive Committee, effective immediately. The former chair, Michael Adams, announced his resignation.

10. Presidential search. The Committee appointed a six-member presidential panel chaired by Ed Ray to oversee the search for a successor to the late NCAA President Myles Brand. Ray will be joined by Harvey Perlman, William Harvey, Drew Bogner, James Harris and

Ann Millner. Ray noted that the process will be characterized by two important principles, integrity and confidentiality. Further, Ray noted that the search effort must be open, inclusive, deliberative and fair. The search committee anticipates having a new president in place by the beginning of the next academic year.

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

12. Adjournment. Ray adjourned the meeting at 3 p.m.

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