REPORT OF THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
DIVISION I ADMINISTRATION CABINET

The NCAA Division I Administration Cabinet submits this report from its February 12–13, 2009, in-person meeting in Savannah, Georgia.

***ACTION ITEM*.**

- **Legislative Items**.

  - **Noncontroversial Legislation - Bylaw 16.11.1.11 - NCAA Research Studies.**

    (1) Recommendation. The Division I Administration Cabinet recommends that the Division I Legislative Council adopt noncontroversial legislation to amend Bylaw 16.11.1.11 (NCAA Research Studies) to permit compensation of participants in institution-based student-athlete only research studies under the following conditions:

    (a) The research study is initiated and conducted by a faculty member(s) at an NCAA member institution, and

    (b) The study and compensation arrangements received approval by the Institutional Review Board for the member institution whose faculty is conducting the study.

    (2) Rationale. It has become commonplace for institutions to use student-athletes in studies specifically related to the conditions under which student-athletes participate in an attempt to gain more knowledge about the characteristics of athletics participation. Current NCAA legislation permits student-athletes to receive standard compensation for NCAA research studies, provided the compensation is consistent with compensation offered in studies involving nonathlete populations. Further, it is permissible for student-athletes to receive compensation for participation in studies that involve both student-athletes and nonathletes, provided they receive the same compensation. With the increase in oversight provided by Institutional Review Boards, which set the compensation independent of the researchers, it is no longer necessary to limit the ability to compensate student-athletes to NCAA studies only.

    (3) Estimated Budget Impact. None. Budgets are set for these studies through the departments that conduct the research.

    (4) Student-Athlete Impact. Minimal and only if they are a participant in a study.

***INFORMATION ITEMS*.**

1. Legislative proposals in the Division I 2008-09 legislative cycle referred to the cabinet.

- The cabinet reviewed the remaining portion of Proposal No. 2008-59 that was forwarded by the Division I Legislative Council to the Division I membership for additional comment. The proposal would add sand volleyball to the list of emerging sports for women. Although there was no formal position taken to oppose the proposal, there were concerns expressed regarding the process for adding the sport of sand volleyball to the list of emerging sports. The group was aware that the proposal simply adds sand volleyball to the list of emerging sports, but many expressed the view that there should be greater specificity regarding the applicable NCAA rules governing the sport (e.g., playing seasons, financial aid) prior to the vote.

  [Note: All other proposals previously referred to the cabinet for comment were either adopted or defeated by the Legislative Council at its January meeting.]

2. Nonlegislative Items.

a. Committee appointment process, principles and issues.

(1) Update on the Leadership Council's ongoing discussions regarding ways to enhance the level of diversity serving in the governance structure. Mindful of the cabinet's guiding principles for the committee selection process, which include seeking to appoint the most qualified individual nominated for a committee based on the committee's legislated requirements and ensuring diversity of gender, ethnicity and position, the cabinet discussed the importance of receiving thorough and pertinent information for committee nominees. Specifically, the cabinet noted that since not all multisport conferences are represented on the cabinet, it is imperative that nomination forms fully set forth both the nominees' qualifications and level of interest in serving on a committee. The cabinet recommended that efforts be made to inform the 31 multisport sport conferences of the importance of providing detailed nomination information that reflects the personal background and interests of the nominee.

(2) Review and discussion regarding the Barriers Study. The cabinet received a presentation from the NCAA research staff on barriers that impact employment decisions for women and ethnic minorities in intercollegiate athletics and how these barriers pertain to the overall demographic information of institutional coaching and administrative staffs. The cabinet discussed the impact of this demographic information relative to the committee selection process and was

invited to assist the Division I Leadership Council in seeking to enhance the level of diversity serving in the Division I governance structure.

(3) **Ongoing examination of the committee appointment process**. The cabinet discussed improving the nomination form to make it more user friendly so that more nominees actually complete the form rather than conference office personnel on the nominees' behalf. The cabinet also discussed avenues to gather more information regarding nominees from conferences not represented on the cabinet and suggested assigning cabinet members to unrepresented conferences to gather additional information or the creation of an ombudsman program. The cabinet is expected to spend more time at its June meeting reviewing the committee selection process.

(4) **Committee appointments**. The cabinet approved appointments to Division I and Association-wide committees. A list of the appointments, reappointments and term extensions is attached. (Attachment)

b. **Conversation with the NCAA research staff regarding current and future initiatives**. Given its jurisdiction in the Division I structure for overseeing the work of the NCAA Research Committee, the cabinet received an overview from the NCAA research staff of current research based initiatives, including information regarding the new iteration of the SCORE/GOALS studies and the graduate student research grant program.

c. **Preliminary development of a governance assessment tool**. The cabinet reviewed the former Division I Governance Subcommittee's objectives in modifying the Division I governance structure and noted that subcommittee's desire to have the governance structure assessed after implementation to help ensure the new structure meets its objectives. The cabinet discussed the need to develop a tool to assess the new governance structure shortly after implementation to ensure any shortcomings are addressed quickly to prevent long term systemic programs. The group noted any effort of this type must involve multiple constituencies and include measureable outcomes. It asked the NCAA research staff to begin working on elements of a possible assessment tool for review by the cabinet during its June 2009 meeting.

3. **Division I membership issues**.

a. The cabinet received an update on the Leadership Council's discussions regarding membership standards. The cabinet also received an educational presentation regarding the status of institutions currently in the Division I reclassification process, including active Division II institutions and new (provisional) members transitioning

to Division I as well as institutions seeking multidivisional membership status. The group engaged in a thorough discussion regarding the process for reviewing annual reports and updated strategic plans of each member reclassifying to Division I and agreed on the following:

(1) Institutions in the reclassification process must provide completed annual reports and updated strategic plans, including all accompanying information, no later than the June 1 legislative deadline. There will be no review of supplemental information submitted after the June 1 deadline, unless such information is specifically requested by the cabinet. The group noted the need to ensure that it has ample time to review all the information in advance of its June 30 meeting. The cabinet directed the staff to notify all institutions of this policy when it sends its annual reminder to all reclassifying institutions in early March regarding the due date for submission of annual reports and updated strategic plans. Institutions making the transition are encouraged to allocate the appropriate resources to provide the most complete information possible by June 1.

(2) The cabinet will organize itself into smaller groups to more effectively and efficiently review all annual reports and updated strategic plans in advance of its June 30 meeting. Each group will be assigned multiple institutions, with one individual designated as a primary for each institution to lead the discussion at the full cabinet related to that institution's advancement to the ensuing year in the reclassification process. Potential conflict of interest issues will be taken into consideration when making the assignments.

(3) An outside consultant will assist the cabinet and the smaller groups by preparing executive summaries of the updated strategic plans and participating in conference calls with each of the smaller groups in advance of the full cabinet meeting.

b. The group approved the use of an outside vendor as required by NCAA Bylaw 20.4.4, to conduct a Division I compliance review for multidivisional institutions that sponsor one men's and/or one women's sport program (other than football and basketball) in Division I. It was agreed that additional requests to use the same vendor should be approved by the staff. Further, requests by multidivisional institutions to use other outside vendors should be handled in the interim by the cabinet's administrative committee. The group noted that a copy of the compliance review report must be kept on file at the institution and a copy must be sent to the cabinet.

c. The group was requested by the Championships/Sport Management Cabinet to provide input regarding waiver opportunities currently set forth in Bylaws 31.3.4.6-(a) (team sports sponsored by less than 30 percent of the Division I membership) and 31.3.4.6-(c) (identified individual sports) for conferences not meeting the general "six-team" requirement to be eligible for automatic qualification to the applicable championship. The group noted the current membership moratorium and the potential for change to the landscape of the Division I membership, particularly as it relates to the role of conferences. In that regard, the cabinet recommended that no changes to the rules or policies related to the current waiver process occur until such time as the moratorium discussion was completed.

4. Discussion of possible work-life balance initiatives. The cabinet heard a presentation on the efforts of the Association's Life and Work Balance Working Group, and at the request of that group, started to engage in a dialogue about possible initiatives and practices that would allow athletics staff to make choices about their life priorities. The cabinet agreed to have further discussion on this issue from a Division I perspective at a future meeting.

***KEY ITEMS/ITEMS OF SIGNIFICANCE*.**

a. Given the cabinet's guiding principles, which include attempting to appoint the most qualified person for a committee based on the committee's stated needs, it is imperative that the cabinet receive complete nomination information that illustrates how the nominee's background is well-suited for the committee along with the nominee's interest in serving on the committee. The cabinet noted the importance the membership places on the committee appointment process and an eagerly expressed interest in identifying ways to further enhance this process. Preliminary ideas the cabinet identified include providing more education regarding the process to the Division I membership, additional outreach to the 31 multisport conferences, especially those conferences that are currently not represented on the cabinet, and modifications to the current nomination form to make it more user friendly. The cabinet will continue its examination of this issue at its June meeting.

b. The cabinet wants to ensure the newly modified Division I governance structure achieves its intended objectives and that the structure helps to establish a more meaningful and coordinated Division I agenda. The cabinet therefore agreed to seek to develop a multi-dimensional tool to assess the Division I governance structure, which includes measurable outcomes. The cabinet believes that by developing this assessment tool shortly after the implementation of the new governance structure, any possible short comings can be addressed early and an impactful governance structure can be sustained. It is anticipated that the cabinet will be able to review some concepts for a possible assessment tool during its June meeting.

c. The cabinet, through education and discussion, has sought to lay the proper foundations with its members regarding the Division I membership reclassification process. The cabinet members are now ready to be assigned to review strategic plans and associated materials for transitional members. The group will review and consider the status of transitional members during the June cabinet meeting.

d. The cabinet received background information and was asked to contemplate initiatives, including possible legislation, regarding life and work balance initiatives for Division I. It is anticipated that the cabinet will continue this examination at either its June or September meetings.

Cabinet chair:	*Rob Halvaks, Big West Conference*
Cabinet liaisons:	*Beth DeBauche, governance*
	Steve Mallonee, membership services
	Delise O'Meally, membership and governance
	Dave Schnase, membership services
	Sharon Tufano, governance

# # #