A G E N D A

National Collegiate Athletic Association

Division I Awards, Benefits, Expenses and Financial Aid Cabinet

NCAA National Office
Indianapolis, Indiana

September 17-19, 2008

1. Broad legislative overview of NCAA Bylaws 15 and 16. [Supplement No. 1] (Brad Hostetter, Kris Richardson and Vanessa Fuchs) (Wednesday evening session) [**No action anticipated**.]

   Background: *The NCAA staff will provide rules education on the primary rules within the jurisdiction of the NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet. This session is not mandatory but highly encouraged.*

2. Opening remarks and review of schedule. (Grace Calhoun) [**No action anticipated**.]

3. Orientation to the new NCAA Division I governance structure. [Supplement No. 2] (Beth DeBauche) [**No action anticipated**.]

4. NCAA national office three to five year goals. (Hostetter) [**No action anticipated**.]

5. Review of draft NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet Policies and Procedures Manual. [Supplement No. 3] (Hostetter) [**Action anticipated**.]

   Background: *The cabinet will review a draft of the policies and procedures manual and discuss the organization of an Administrative Committee. Cabinet members will need to approve the policies and procedures document.*

6. Report from the August governance meetings. (DeBauche) [**No action anticipated**.]

   Background: *NCAA staff will provide an update on the activities from the August NCAA Division I Board of Directors, NCAA Division I Leadership Council and NCAA Executive Committee meetings.*

7. Report of the NCAA Division I Communications and Coordination Committee. (Calhoun) [**No action anticipated**.]

   Background: *The Communications and Coordination Committee is charged with coordinating consideration of issues and legislative concepts between the various Division I governance bodies. This item will be a report of the committee's first telephone conference.*

8. White case update. [Supplement No. 4] (Jay Rossello) [**No action anticipated**.]

9. Review of 2008-09 legislative proposals. [Supplement No. 5] (Richardson) [**Action anticipated**.]

   Background: *The cabinet will be asked to formulate a position on and offer suggested modifications of proposals in the 2008-09 legislative cycle.*

10. Review of recent financial aid initiatives undertaken in previous governance structure. (Richardson and Fuchs) [**No action anticipated**.]

    a. Guide to Financial Aid.

    b. Head count versus equivalency and review of current limits. [Supplement No. 6]

    c. NCAA Financial Aid Workshop and resulting outcomes. [Supplement No. 7]

    Background: *This item will highlight a few recent initiatives undertaken by the former NCAA Division I Academics/Eligibility/Compliance Cabinet Subcommittee on Financial Aid. It is designed to update the cabinet on the discussion and outcome.*

11. Review of recent awards, benefits and expenses issues reviewed by former NCAA Division I Championships/Competition Cabinet Awards/Travel Policies/Bylaw 16 Subcommittee. (Hostetter) [**No action anticipated**.]

    - Review of departure/return restrictions (Bylaw 16.8.1.2). [Supplement No. 8]

      a. Conference championships.

b. Postseason opportunities.

Background: *This item will highlight a few recent initiatives undertaken by the former Championships/Competition Cabinet Awards/Travel Policies/Bylaw 16 Subcommittee. It is designed to update the cabinet on the discussion and outcome.*

12. Identification of and discussion on items for review for 2008-09.

a. Review of items referred to the cabinet by the former Academics/Eligibility/ Compliance Cabinet and its Subcommittee on Financial Aid. (Hostetter, Richardson and Fuchs) [**No action anticipated**.]

(1) Multi-year awards/presumption of renewal (also an NCAA Presidential Task Force on the Future of Division I Intercollegiate Athletics item). [Supplement No. 9]

(2) Financial aid hearing opportunities (also a Presidential Task Force item). [Supplement No. 10]

(3) Issues related to the individual limit on the receipt of financial aid, including cost of attendance (also a Presidential Task Force item). [Refer to the Executive Summary in Supplement No. 9]

(4) Continued review of the Guide to Financial Aid.

(5) Examination of maximum institutional grant-in-aid limitations by sport. [Supplement No. 11 and also refer to Supplement No. 6]

(6) Athletics aid for nonqualifiers. [Supplement No. 12]

b. Review of legislated awards limitations. (Hostetter) [Supplement No. 13] [**No action anticipated**.]

Background: *The cabinet will be updated on items identified by the previous governance structure to be discussed by this cabinet. The NCAA staff will provide an overview of the items and cabinet members should be prepared to discuss their views on these issues with the goal of setting the cabinet's agenda for the next year and beyond in Agenda Item No. 13.*

13. Prioritization of items for review. (Calhoun) [**Action anticipated**.]

    Background: *Cabinet members will be asked to set the cabinet's agenda by prioritizing the items referred to it by the former governance structure and add any other items of interest.*

14. Summary of key items discussed and next steps. (Calhoun) [**No action anticipated**.]

15. Future meeting dates and sites.

    a. February 5-6, 2009; Marriott Los Angeles; Los Angeles, California; and

    b. June 10-11, 2009; Indianapolis, Indiana.

16. Other business.

17. Adjournment.

NCAA Division I
Bylaws 15 and 16

Awards, Benefits, Expenses and Financial Aid Cabinet
September 17, 2008

Bylaw 15
Financial Aid

Overview

- Principle Governing Financial Aid
- Purpose of Bylaw 15
- Definitions
- Permissible Sources of Financial Aid
  - Institutional
  - Outside

3

Overview

- Period of Award
  - Academic year
  - Summer
- Financial Aid Limits
  - Individual
    - Full grant-in-aid
    - Cost of attendance
  - Team

4

Overview

- Hearing Opportunities
- Special Assistance Fund (SAF)
- Student-Athlete Opportunity Fund (SAOF)

5

Principle Governing Financial Aid

- Student-athletes may receive athletically related financial aid, provided the amount does not exceed the cost of attendance at their institution.

6

Principle Governing Financial Aid

- Any other financial assistance is prohibited unless it is:
  - Received from upon whom the student-athlete is naturally or legally dependent; or
  - Specifically authorized by the Association.

7

Purpose of Bylaw 15

- Establish requirements that financial aid awarded to student-athletes must satisfy.
- Establish requirements for awarding, increasing, renewing, reducing, cancelling and not renewing institutional financial aid based in any degree on athletics ability.
- Establish limits on the number of financial aid awards to counters in all sports.

8

Definitions

- Cost of Attendance
  - Calculated by institution's financial aid office using federal regulations.
  - Includes total cost of:
    - Tuition and fees
    - Room and board
    - Books and supplies
    - Transportation
    - Other expenses related to attending the institution.
  - Must be calculated for student-athletes in accordance with the policies and procedures used for students in general.

9

Definitions

- Financial Aid
  - Funds provided to student-athletes to pay all or assist in paying the cost of education at the institution.
  - Includes all institutional financial aid and other financial aid permitted by the legislation.
- Full Grant-in-Aid
  - Financial Aid that consists of tuition and fees, room and board, and required course-related books.

10

Definitions

- Counter
  - Individual receiving institutional financial aid that counts against a sport's aid limitations.
- Initial Counter
  - A counter who is receiving financial aid that counts against a sport's aid limitations for the first time.
  - Applies to Football Bowl Subdivision (FBS) and NCAA Football Championship Subdivision (FCS) institutions.

11

Permissible Sources of Financial Aid

- Institutional.
  - Broad category.
  - Includes:
    - All funds administered by the institution.
      - Scholarships
      - Grants
      - Loans
      - Tuition waivers
      - Employee dependent tuition waivers
      - Others
    - Aid from government or private sources if the institution.
      - Selects the recipient
      - Determines the amount of aid
      - Matches or supplements funds for a previously determined recipient

12

Permissible Sources of Financial Aid

- Institutional (continued)
  - Includes:
    - For recruited student-athletes, financial aid awarded through an established and continuing outside program for the recognition of outstanding high school graduates in which athletics participation may be a major criterion.
    - Example: National Football Foundation.

13

Permissible Sources of Financial Aid

- Other Permissible Sources of Financial Aid
  - Anyone upon whom the student-athlete is naturally or legally dependent;
  - Awards having no relationship to athletics ability;
  - Awards from an established and continuing outside program in which athletics participation is not the major criterion (e.g., National Merit Scholar);

14

Permissible Sources of Financial Aid

- Other Permissible Sources of Financial Aid
  - For nonrecruited student-athletes, financial aid awarded through an established and continuing outside program for the recognition of outstanding high school graduates in which athletics participation may be a major criterion; and
  - Educational expenses awarded by the United States Olympic Committee (USOC).

15

Period of Award - Eligibility

- Institutional financial aid may be awarded for:
  - Any term in which the student-athlete is in regular attendance as an undergraduate with eligibility remaining under the five-year period; or
  - As a graduate eligible under the graduate student / postbaccalaureate participation legislation; or

16

Period of Award - Eligibility

- Institutional financial aid may be awarded:
  - Within six years after initial enrollment provided such aid is not received for more than five years during that period.

17

Period of Award – Academic Year

- An athletics grant-in-aid shall not be awarded in excess of one academic year.
- Begins with the earlier of:
  - First day of practice; or
  - When student-athlete receives any benefits as part of his or her grant-in-aid on the first day of classes for a particular academic term.
- Ends with the conclusion of period set forth in the financial aid agreement.

18

Period of Award - Summer

- Summer term awards must be made as separate awards.
  - Financial aid awards cannot be made for a period of more than one academic year.
- May be awarded only to attend the awarding institution's:
  - Summer term;
  - Summer school; or
  - Summer-orientation program.

19

Period of Award - Summer

- Recipient is not required to be enrolled in a minimum full-time program of studies.
- May not receive financial aid that exceeds the cost of attendance for that summer term.
- Incoming student-athletes may not use the coursework to meet initial, transfer or continuing eligibility requirements.

20

Period of Award - Summer

- Must satisfy the following conditions:
  - Have been in residence at least one term during the regular academic year;
  - Be attending a summer term, summer school or summer orientation program; or
  - Be a two-year or four-year college transfer receiving aid to attend the summer orientation program.

21

Financial Aid Limits - Individual

- Full grant-in-aid.
  - Student-athletes may receive:
    - Institutional financial aid based on athletics ability;
    - Outside financial aid for which athletics participation is a major criterion; and
    - Educational expenses from the USOC or National Governing Body (NGB).
  - Up to the value of a full grant-in-aid.

22

Financial Aid Limits - Individual

- Cost of attendance.
  - Student-athletes may receive:
    - Institutional financial aid based on athletics ability;
    - Outside financial aid for which athletics participation is a major criterion;
    - Educational expenses from the USOC or NGB; plus
    - Other financial aid unrelated to athletics ability.
  - Up to the cost of attendance.
  - Student-athletes are ineligible if their financial aid exceeds the value of the cost of attendance.

23

Financial Aid Limits - Individual

- Exception for Pell Grant.
  - A student-athlete who receives a Pell Grant may receive the greater of:
    - Financial aid equivalent to the limits described previously; or
    - Value of a full grant-in-aid plus the Pell Grant.

24

Financial Aid Limits - Team

- All counters must be included in the maximum awards limitations.
- A student-athlete becomes a counter by:
  - Receiving financial aid based in any degree on athletics ability;
  - If recruited, receiving outside financial aid for which athletics participation is a major criterion; or
  - Receiving educational expenses awarded by the USOC or an NGB.

25

Financial Aid Limits - Team

- Noncounters.
  - Injury or illness.
    - A counter who becomes injured or ill to the point that they apparently never again will participate in intercollegiate athletics is not a counter beginning the following academic year.
  - Eligibility exhausted.
    - A student-athlete is not a counter beginning with the academic year following the completion of his or her eligibility in a sport.

26

Financial Aid Limits - Team

- Head-count sports.
  - Limit the total number of counters.

Football (FBS)	85	Women's Basketball	15
Men's Basketball	13	Women's Gymnastics	12
Women's Volleyball	12	Women's Tennis	8

  - Midyear graduate replacement.
    - Women's volleyball, women's gymnastics, women's tennis.
  - Midyear replacement.
    - Football.

27

Financial Aid Limits - Team

- Equivalency sports.
  - Limit the value of financial aid awards to counters.

28

Financial Aid Limits - Team

Men's Sports

Cross Country/Track and Field	12.6	Skiing	6.3
Fencing	4.5	Soccer	9.9
Golf	4.5	Swimming and Diving	9.9
Gymnastics	6.3	Tennis	4.5
Lacrosse	12.6	Volleyball	4.5
Rifle	3.6	Water Polo	4.5
		Wrestling	9.9

29

Financial Aid Limits - Team

Women's Sports

Archery	5	Rowing	20
Badminton	6	Rugby	12
Bowling	5	Skiing	7
Cross Country/Track and Field	18	Soccer	14
Equestrian	15	Softball	12
Fencing	5	Squash	12
Field Hockey	12	Swimming and Diving	14

30

Financial Aid Limits - Team

- Other equivalency sports.
  - Football (FCS):
    - 85 overall counters;
    - 63 equivalencies;
    - 30 initial counters.
  - Ice Hockey:
    - 30 overall counters;
    - 18 equivalencies.

31

Financial Aid Limits - Team

- Other equivalency sports.
  - Baseball:
    - 30 overall counters (27 beginning in 2009-10);
    - 11.7 equivalencies;
    - Minimum of 0.25 equivalency for each counter.

32

Hearing Opportunities

- Agency making the financial aid award must give the recipient a written statement including the
  - Amount;
  - Duration;
  - Conditions; and
  - Terms

  of the award.
- Must be signed by chair of the regular committee for awarding aid to students generally.

33

Hearing Opportunities

- Renewal of institutional aid based in any degree on athletics ability must be made by July 1.
- Student-athlete must be promptly notified in writing whether the aid was renewed or not renewed for the upcoming year.
- Notification must come from the regular financial aid authority.

34

Hearing Opportunities

- Student-athlete must be notified in writing of the opportunity for a hearing when institutional aid based in any degree on athletics ability is to be reduced or cancelled.
  - Requirement applies at all times.
  - Notice must include a copy of the established policies and procedures for conducting the hearing, including the deadline to request a hearing.

35

Hearing Opportunities

- Institution must have established reasonable procedures for promptly hearing such a request.
- Institution may not delegate the responsibility for conducting the hearing to the athletics department or its faculty athletics committee.

36

Special Assistance Fund

- Monies from this fund is not included is not included in determining the permissible amount of financial aid an institution may award to a student-athlete.
- Guidelines for use of the funds are the same as those for the Student-Athlete Opportunity Fund.

37

Student-Athlete Opportunity Fund

- Monies from this fund is not included is not included in determining the permissible amount of financial aid an institution may award to a student-athlete.

38

Student-Athlete Opportunity Fund

- All student-athletes are eligible to receive SAOF benefits.
- Benefits are intended to pay costs that arise in conjunction with:
  - Participation in intercollegiate athletics,
  - Enrollment in an academic curriculum, or
  - That recognize academic achievements.

39

Student-Athlete Opportunity Fund

- Funds may not be used to finance:
  - Salaries;
  - Grants-in-aid (other than summer school) for student-athletes with remaining eligibility;
  - Stipends;
  - Capital improvements; or
  - Outside athletics development opportunities.
    - Sports camps, private instruction, greens fees, etc.

40

Review

- Principle Governing Financial Aid
- Purpose of Bylaw 15
- Definitions
- Permissible Sources
- Period of Award
- Limits
- Hearing Opportunities
- SAF and SAOF

41

Questions?

Bylaw 16
Awards and Benefits

Overview

- Purpose of Bylaw 16.
- Definition of "extra benefit".
- Overview of common permissible benefits.
  - Participation/achievement awards.
  - Academic services.
  - Meals incidental to participation.
  - Medical expenses.
  - Miscellaneous benefits.

44

Purpose of Bylaw 16

- Student-athletes are an integral part of the overall student body.
- Student-athletes should not receive benefits not provided to general student body.
- Some benefits permitted as incidental to participation (e.g., meals, awards).

45

Definition of Extra Benefit

- Any special arrangement by an institutional employee or a booster to provide a student-athlete or a student-athlete's relative or friend a benefit not permitted by NCAA legislation.
- A benefit that is generally available to the student body or a segment of the student body determined on a basis unrelated to athletics ability is permissible.

46

Award Limitations Bylaw 16.1

47

Awards

- Types:
  - Participation.
  - Conference or national championship.
  - Senior.
  - Special achievement.
  - Local civic organization.

48

Awards (continued)

- Must be uniform.
- Must be eligible to compete to receive.
  - Ineligible: Non or partial qualifiers, transfers serving year in residence, academically ineligible.
- Cannot transfer or sell awards.
- Limits on number and value.
- Cannot combine permissible amounts.
- Student-athlete cannot contribute.

Awards

FIGURE 16-1
Participation Awards

Type of Award	Maximum Value of Award	Number of Times Award May Be Received	Permissible Awarding Agencies	Maximum of Permissible Awarding Agencies
Annual Participation—Underclassmen	$175	Once per year per sport	Institution	1
Annual Participation— Senior	$325	Once per year per sport	Institution	1
Special Event Participation				
• Participation in postseason conference championship contest or tournament	$325*	Once per event	• Institution • Management of event (may include conference office)	2
• Participation in postseason NCAA championship contest or tournament	Institution— $325 NCAA —No limit	Once per event	• Institution • NCAA	2
• Participation in allstar game or postseason bowl	$350 (Institution) $500 (Management of event)	Once per event	• Institution • Management of event	2
• Participation in other established meets, tournaments and featured individual competition	$350*	Once per event	• Institution • Management of event	2

* The combined value of all awards received for participation in this type of event from the institution and the management of the event may not exceed be published value.

FIGURE 16-2
Championship Awards

Type of Award	Maximum Value of Award	Number of Award May	Permissible Awarding Agencies	Maximum of Permissible Awarding Agencies
National Championship conducted by NCAA	$415*	Once per championship	• Institution** • Conference**	2
National Championship not conducted by NCAA***	$415*	Once per championship	• Institution** • Conference**	2
Conference Championship—regular season	$325*#	Once per championship	• Institution** • Conference**	2
Conference Championship—postseason contest or tournament	$325*#	Once per championship	• Institution** • Conference**	2

* Each permissible awarding agency is subject to a separate $415/$325 limit per award.
** Award may be provided by another organization recognized by the institution or conference to act in its place.
*** Applies only to sports or classification divisions inwhich the NCAA does not conduct championships. Teams must be designated as a "national champion" by a national wire service poll or the national coaches association in that sport.
# The combined value of both awards shall not exceed $325 if same institution wins conference regular season and postseason championships.

Awards

FIGURE 16-3
Special Achievement Awards

Type of Award	Maximum Value of Award	Number of Times Award May Be Received	Permissible Awarding Agencies	Maximum Number of Permissible Awarding Agencies
Special attainments or contribution to team's season (e.g., scholarathlete, most improved player, most minutes played, most valuable player)	$175	Once per category of award per year	Institution	1
Most valuable player— special event*	$325**	Once per event	• Institution • Conference • Organization approved by institution or conference	Unlimited
Most valuable player— bowl game or allstar contest	$350	Once per event	Sponsoring entity of allstar contest or certified postseason bowl	1
Established regional/national recognition awards (e.g., Wade Trophy, HeismanTrophy)	$325	Once per year per award	Management of award program	1
Trophy recognizing established national award	Unlimited	Once per year	Management of award program	1
Trophy recognizing conference "athlete of the year"	$1,500	Once per year to one maleand one female	Conference	1
Specialized performance in single contest or during limited time period (e.g., player of the game, player of the week)	$80 (certificate, medal or plaque only)	Unlimited	• Conference • Outside organization (e.g., local business)	Unlimited
Hometown award	$80	Unlimited	Group (other than institution's booster club) located in the studentathlete's home town	Unlimited

* The award recipient must be selected by a recognized organization approved by a member institution or conference.
** Each permissible awarding agency is subject to separate $325 limit per award. Each awarding agency may provide only a single award for each event to each studentathlete.

Permissible Expenses to Receive Awards

- Established regional, national, international awards.
- Hometown.
- President, governor, state legislative body.
  - International equivalent.
- Conference.

52

Academic and Other Support Services Bylaw 16.3

53

Academic and Other Support Services

- Required to provide academic counseling and support services to student-athletes.
- Permissible:
  - May provide what institution deems appropriate and necessary for student-athlete academic success; and
  - Specific limitations.
- Required to conduct Champs/Life Skills program.

54

Meals
Bylaw 16.5

55

Meals

- Occasional meals.
- Training table meals.
- Meals on road trips/at home games.
- Nutritional supplements.

56

Occasional Meals

- Infrequent and special occasions.
- Student-athlete or an entire team.

57

Occasional Meals

- Parent of a student-athlete.
  - At any location.
- Institutional staff member.
  - Any location in the locale of the institution.
  - May provide reasonable local transportation to attend.
- Representative of athletics interests.
  - Only in an individual's home.
  - May provide reasonable local transportation only if the meal is in the home of the representative of athletics interests.

58

Training Table

- Only one training table meal per day during the academic year on those days when regular institutional dining facilities are open.
- Student-athletes who do not receive institutional athletically related financial aid covering the full cost of board may purchase a training table meal.
  - Cost may be the rate the institution uses when deducting training table from the board allowance of student-athletes whose athletics aid covers board.

59

Training Table

- During the playing and practice season, walk-ons may receive the benefit of a training-table meal if their schedules are affected by involvement in practice activities.
- Walk-on must have previously paid for the same meal at an institutional dining facility to be eligible for this benefit.

60

Meals in Conjunction with Home Contests

- Institution may provide meals at its discretion.
  - Begins with the evening before competition.
  - Ends upon release by institutional personnel.
- Institution cannot provide cash in lieu of meals during this period.
- Institution may provide a meal or up to $15 cash after home contests.
  - Institution may provide a meal or cash, but not both.

61

Home Contest Case Study

- Team reports on call for home contest at 11 a.m. Saturday.
- Contest starts at 3:30 p.m.
- Contest ends at 7 p.m.
- Team is released at 8 p.m.

When is it permissible to begin giving student-athletes meals?

a. Friday evening.
b. 11 a.m. Saturday.

Answer: a. Institution may provide meals at its discretion from the evening before the competition until the student-athletes are released by institutional personnel.

62

Home Contest Case Study

- Team reports on call for home contest at 11 a.m. Saturday.
- Contest starts at 3:30 p.m.
- Contest ends at 7 p.m.
- Team is released at 8 p.m.

After the contest, may the institution provide cash instead of a postgame meal?
If so, how much cash may be provided?

Answer: Yes. Institution may provide either a postgame meal or $15 (but not both) following the contest.

63

Meals in Conjunction with Away-From-Home Contests

- Institution has two options.
  - Option 1.
    - Student-athletes are permitted to receive a pregame or postgame meal as a benefit incidental to participation in addition to regular meals (or meal allowances per Bylaw 16.8.1.2.3).
    - Instead of a postgame meal, an institution may provide up to $15 cash.

64

Meals in Conjunction with Away-From-Home Contests

- Institution has two options.
  - Option 2.
    - Provide meals at institution's discretion from the time the team is required to report on call for team travel until the team returns to campus.
    - Institution cannot provide cash in lieu of meals.

65

Away-From-Home Contests Case Study

- Team reports on call for travel to away contest at 2 p.m. Thursday.
- Contest starts at 2 p.m. Saturday.
- Contest ends at 7 p.m. Saturday
- Team arrives back on campus at 5 p.m. Sunday.

May the institution provide a meal on the trip to the airport Thursday afternoon and a meal when the team arrives at the hotel at 11 p.m. Thursday night?

Answer: Under Option 1, only one meal (i.e., dinner) may be provided. If the institution uses Option 2, then both meals are permissible.

66

Away-From-Home Contests Case Study

- Team reports on call for travel to away contest at 2 p.m. Thursday.
- Contest starts at 2 p.m. Saturday.
- Contest ends at 7 p.m. Saturday
- Team arrives back on campus at 5 p.m. Sunday.

Following Saturday's game, may the institution provide the student-athletes with cash in lieu of a postgame meal? If so, how much cash may be provided?

Answer: Under Option 1, up to $15 may be provided instead of a postgame meal. If the institution uses Option 2, cash may not be provided in place of meals.

67

Nutritional Supplements

- Nonmuscle building nutritional supplements may be provided under specified conditions.
- No banned substances.

68

Medical Expenses

Medical Expenses

- May finance:
  - Athletics insurance;
  - Medical exams;
  - Glasses, contacts, protective eye wear necessary for participation;
  - Medical treatment and expenses, regardless of whether injury is athletically related;
  - Student health insurance (White case settlement).

70

MISCELLANEOUS BENEFITS

71

Miscellaneous Benefits

- Expenses for families of student-athletes (e.g., bowl games, NCAA championships).
- Expenses incidental to practice and competition with some restrictions.
  - Practice location.
  - Departure/return restrictions.
  - Exceptions for vacation period travel.
- Expenses for elite competition or qualifying competition.

72

Miscellaneous Benefits

- Student-athlete opportunity fund.
- Special assistance fund.
- Fundraisers for student-athletes or immediate family under certain circumstances.
- Occasional meals provided by teammate's parents.

73

Review

- Generally, student-athletes shall not receive benefits not provided to general students.
- Permissible benefits in Bylaw 16 are legislated exceptions to that rule.

74

Questions?

GUIDE TO THE NEW DIVISION I GOVERNANCE STRUCTURE

TABLE OF CONTENTS

I. Objectives of the New Division I Governance Structure.

II. Duties and Jurisdiction of the Division I Board, Council and Cabinets.

III. Conference Representation in the Governance Structure.

IV. Representational Requirements and the Appointment Process.

V. Leadership Roles.

VI. Meeting Schedule.

VII. Structure of Meetings.

VIII. Communication with Governance Representatives and with Membership.

IX. Division I Student-Athlete Advisory Committee.

X. Division I Legislative Process.

ADDENDUMS

A. Objectives of the New Division I Governance Structure.

B. Division I Governance Structure Chart.

C. Conference Rotational Chart.

D. Tentative Meeting Schedule.

E. Guidelines regarding Noncontroversial/Emergency Legislation.

I. OBJECTIVES OF THE NEW DIVISION I GOVERANCE STRUCTURE.

a. Background and Intention of Restructuring. In 2005, the Division I Board of Directors charged the Governance Subcommittee of the Division I Management Council with examining the Division I governance structure to identify ways to increase efficiencies and enhance the level of support from the substructure. The Governance Subcommittee spent over two years examining the Division I governance structure and developed a series of recommendations aimed at addressing the Board of Directors' charge. The Governance Subcommittee had a number of objectives it sought to accomplish in reorganizing the governance structure. The Board supported those objectives and ultimately adopted the proposed reorganization of the Division I governance structure at its November 1, 2007, meeting. If this governance restructuring is to ultimately achieve its desired goals and be responsive to the Board of Directors request, it is imperative that both staff liaisons and representatives serving within the governance structure be mindful of the objectives behind this restructuring and stay true to its intent.

b. Objectives and the Board and Substructure Levels. A listing of the objectives behind the restructuring efforts both at the Board of Directors and substructure levels is attached as Addendum A.

II. DUTIES AND JURISDICTION OF THE DIVISION I BOARD, COUNCILS AND CABINETS.

a. Board of Directors.

1. Duties. The Division I Board of Directors shall:

- Serve as the division's principal leadership body;
- Establish working principles for the division;
- Set the divisional agenda (both the legislative and non-legislative agenda);
- Examine broad policy initiatives;
- Establish and direct general policy;
- Set the division's strategic course and develop a strategic plan;
- Approve the annual budget;
- Direct the governance substructure for a more coordinated approach to addressing issues;
- Remain the ultimate legislative authority in Division I and adopt select bylaws;
- Formally determine and articulate its plan for the delegation of authority to ensure that roles and expectations are clearly understood; and
- Make appointments to Division I cabinets, councils, the Division I Committee on Infractions and the Infractions Appeals Committee.

The specific terms of the Board of the Directors duties are set forth in the NCAA Bylaw 4.2.2.

2. Reporting Lines. The following governance bodies report to the Division I Board of Directors:

- Division I Presidential Advisory Group;
- Leadership Council;
- Legislative Council;
- Committee on Academic Performance;
- Committee on Infractions; and
- Infractions Appeals Committee.

3. Staff Liaisons: S. David Berst and Beth DeBauche, primary liaisons; Bernard Franklin and Delise O'Meally, liaisons.

b. Leadership Council.

1. Duties. The Leadership Council shall:

- Assist the Board in leading the Division and charting its course;
- Identify strategic issues that can impact Division I and intercollegiate athletics as a whole;
- Help set the Division I legislative agenda and identify significant issues that may require legislative solutions;
- Serve as the primary advisory to the Board of Directors on strategic and policy issues;
- Assist the Board by providing the Board with background information, comments and advice on non-legislative matters and selected legislative proposals either of particular importance to or with broad impact on the division; and
- Receive reports from various Association-wide and Division I committees.

The specific terms of the Leadership Council's duties will be set forth in the NCAA Division I Manual.

2. Reporting Lines. The following committees will report to the Leadership Council:

- Minority Opportunities and Interests Committee;
- Sportsmanship and Ethical Conduct;

- Committee on Women's Athletics; and
- Student-Athlete Advisory Committee.

3. Staff Liaisons: S. David Berst, Beth DeBauche, Bernard Franklin and Kevin Lennon, primary liaisons; Delise O'Meally, liaison.

c. Legislative Council.

1. Duties. The Legislative Council is the primary legislative body in the Division I governance structure, subject to Board oversight. The Legislative Council is responsible for considering every proposal in the annual legislative cycle with the caveat the Board can examine and act on any proposal it so chooses. The Legislative Council's actions on legislation will not be considered final until the conclusion of the following Board meeting to ensure the Board has an opportunity for final review and oversight.

   It is envisioned that the Board (with advice from the Leadership Council) will identify proposals early in the legislative cycle that it will want to consider, but it should be noted that the Board has discretion to review any proposal before action to adopt or defeat is considered final.

   In addition to considering and voting on legislation, the Legislative Council will:

   - Identify the strengths and weaknesses of legislative proposals;
   - Develop educational materials regarding pending legislation;
   - Develop a voting order chart for consideration of proposals;
   - Consider waivers of legislation through the Subcommittee for Legislative Relief.
   - Identify possible interpretative issues for the Legislative Review and Interpretations Committee (LRIC); and
   - Serve as an appellate body for Legislative Review/Interpretations Committee (LRIC). (*LRIC shall serve as a standing committee that reports to this council.*)

   The specific terms of the Legislative Council's duties will be set forth in the NCAA Division I Manual.

2. Reporting Lines. The following committees report to the Legislative Council:

   - Legislative Review and Interpretations Committee (LRIC);

- Athletic Certification;
- Student-Athlete Reinstatement; and
- Football Championship Subdivision Governance Committee. [Note: The Football Bowl Subdivision (FBS) and the Football Championship Subdivision (FCS) will vote separately on football issues. FCS conferences set forth in the NCAA Division I Manual will be permitted to vote on such legislative issues at the Football Championship Subdivision Governance Committee meeting.]

The cabinet may establish the following subcommittee:

- Subcommittee for Legislative Relief.

3. Staff Liaisons: Lynn Holzman and Steve Mallonee, primary liaisons; Amy Huchthausen and Leeland Zeller, secondary liaisons. Beth DeBauche will attend to help coordinate issues affecting the Leadership Council and the Division I governance structure as a whole. Delise O'Meally will attend to coordinate consideration of Association-wide matters.

d. Championships/Sports Management Cabinet.

1. Duties. The Championships/Sports Management Cabinet retained much of the jurisdiction of the former Championships/Competition Cabinet except for issues pertaining to committee selections and Bylaw 16 issues not related to championship travel and awards.

2. Reporting Lines. The following committees report to the Championships/Sports Management Cabinet:

- Competitive Safeguards and Medical Aspects of Sports;
- Olympic Sports Liaison Committee;
- Rules Committees;
- Playing Rules Oversight Panel; *(For information purposes)*;
- All sports issues committees; and
- All sports committees. *(Note: Sports committees will assume responsibility for issues management as well.)*

3. Staff Liaisons: Joni Comstock and Dave Schnase, primary liaisons; Wayne Burrow and Carol Reep, secondary liaisons.

e. Administration Cabinet.

1. Duties. The Administration Cabinet, true to its name, is primarily responsible for addressing the administrative functions of Division I. This cabinet assumed many of the responsibilities from the Management Council regarding the regular operations of the division, including:

   - Issues related to the efficient management of Division I governance;
   - Division I membership process; and
   - All committee selections, including sports committees.

   Specific duties will be set forth in the NCAA Division I Manual.

2. Reporting Lines. The following Association-wide committees report to the Administration Cabinet:

   - Honors Committee;
   - Postgraduate Scholarship;
   - Research; and
   - Walter Byers Scholarship.

3. Staff Liaisons: Steve Mallonee and Beth DeBauche, primary liaisons; Sharon Tufano, Delise O'Meally and Dave Schnase, secondary liaisons.

f. Academics Cabinet.

1. Duties. The Academics Cabinet has assumed jurisdiction over all academic matters except those currently addressed by the Committee on Academic Performance. (*Note: Due to the nature and volume of its work, the Committee on Academic Performance will remain intact and will report to the Board of Directors.*) The Academics Cabinet's duties will include:

   - Overseeing academic research and policies;
   - Establishing, managing and monitoring eligibility standards;
   - Working with Division II to ensure to the greatest extent possible that consistent information is available to prospective student-athletes;
   - Working with the two-year college community;
   - Working with the NCAA Eligibility Center to oversee the certification of initial eligibility from an academic standpoint; and
   - Serving as appellate body for select eligibility waivers.

   Specific duties will be set forth in the NCAA Division I Manual.

2. Reporting Lines. The following committees report to the Academics Cabinet:

   - Foreign Student Records;
   - High School Review;
   - Students Records Review;
   - Initial Eligibility Waivers; and
   - Progress Towards Degree.

   The cabinet may establish the following subcommittees:

   - IEW Waivers Appeals; and
   - PTD Waiver Appeals.

3. Staff Liaisons: Diane Dickman, Julie Cromer and Carrie Leger, primary liaisons.

g. Recruiting and Athletics Personnel Issues.

1. Duties. This cabinet has jurisdiction over issues pertaining to the recruitment of prospective student-athletes and the conduct and employment of athletics personnel. The cabinet is responsible for:

   - Bylaw 13 recruiting matters including studying and making recommendations to the Board, Leadership Council and Legislative Council concerning the recruiting process in intercollegiate athletics; and
   - Bylaw 11 conduct and employment of athletics personnel issues.

2. Staff Liaisons: Amy Huchthausen, primary liaison; Charnele Kemper, Jeremiah Carter and Jackie Thurnes, secondary liaisons

h. Student-Athlete, Awards, Benefits, Expenses and Financial Aid Cabinet.

1. Duties. This cabinet is charged with addressing the many issues that arise in the areas of awards, benefits, expenses and financial aid. Accordingly, this cabinet's jurisdiction includes:

   - Bylaw 15 financial aid matters, including studying and making recommendations to the Board, Leadership Council and Legislative Council concerning principles governing financial aid; and

- Issues pertaining to Bylaw 16 awards, benefits and expenses for enrolled student-athletes. The Championships/Sports Management Cabinet retains jurisdiction over championships awards and travel.

Specific duties will be set forth in the NCAA Division I Manual.

2. Staff Liaisons: Brad Hostetter, primary liaison; Vanessa Fuchs and Kris Richardson, secondary liaisons.

i. Amateurism Cabinet.

1. Duties. True to its name, this cabinet has jurisdiction over all amateurism issues, including oversight of issues pertaining to the NCAA Eligibility Center's amateurism work. This cabinet is charged with examining the relationship between intercollegiate athletics and professional teams/organizations. Additionally, the cabinet has jurisdiction to review the application of Bylaw 12 related to endorsements and the use of a student-athlete's name or likeness. This cabinet is the final appellate body for cases involving the determination of facts related to the certification of amateur status per Bylaw 12.01.1.

2. Reporting Lines. The following committee reports to the Amateurism Cabinet:

- Amateurism Fact-Finding Body.

3. Staff liaisons. Rachel Newman, primary liaison; Angie Cretors and Geoff Silver, secondary liaisons.

j. Communications and Coordination Committee.

1. Duties. The Communications and Coordination Committee, which is composed of the chairs of the cabinets and councils, is charged with coordinating consideration of issues and legislative concepts between the various Division I governance bodies. As the new governance structure gets established, this group will meet before the grouping of councils and cabinets meetings to help coordinate the considerations of issues.

2. Staff Liaison. Beth DeBauche is the primary liaison to this group. Additionally, at least one staff liaison from each cabinet and council will be expected to participate on this group's conference calls and in-person meetings. All liaisons will be welcome to participate. The focus of this group will be to enhance the level of coordination between Division I governance bodies so that there is a more cohesive approach to managing the Division I agenda.

Additionally, this group should help the membership stay informed regarding governance activities.

k. Division I Governance Structure. A chart of the Division I governance structure is attached as Addendum B.

III. CONFERENCE REPRESENTATION IN THE GOVERNANCE STRUCTURE.

a. Conference Representation. Division I has a representative form of governance based on conference affiliation. Accordingly, conferences are responsible for submitting the names of nominees for the various governance bodies and representatives on the Board, Presidential Advisory Group, councils and cabinets serve on behalf of the conferences. All 31 multisport conferences are represented on the Legislative and Leadership Councils and the Championships/Sports Management Cabinet. (Subject to weighted voting.). All 11 Football Bowl Subdivision conferences are represented on the five 21-member cabinets. The 20 Football Championship and Division I Subdivision conferences are represented on no fewer than two but no more than three cabinets at any one time.

b. Terms. With the reorganization of the Division I governance structure scheduled to take effect in September 2008, representatives on the cabinets and councils have been assigned staggered terms of two, three and four years to help create a level of continuity on the councils and cabinets. Upon expiration of those terms, all service terms will be four years in length. To assist the individual conferences along with the 31 multisport conferences in managing their governance nomination process, a conference rotational schedule has been designed. Pursuant to this schedule, all conferences within the Football Bowl Subdivision rotate at the same time and conferences in the Football Championship Subdivision/Division I Subdivision have been assigned to groups of 10 and further designated into groups of five, which rotate at the same time. This means that when these rotations occur, individuals will be assigned four-year terms. In the event of interim appointments, those appointments will complete the original four year term and are subject to the conference's rotational schedule. Where an individual serves a complete four-year term, that term will automatically coincide with the conference's term on the rotational schedule. To explain in more detail, where an individual leaves a term before the four-year term ends and someone else is appointed as a replacement, that person will serve until the conclusion of the conference's term on the rotational schedule. If the replacement representative serves less than two years, that person may again be appointed to a full term on the same governance body if the conference has a seat on that body when the conference's rotation starts anew.

c. Eligibility to Serve. While a representative who serves what is considered to be a full term on a cabinet or council is not eligible to be reappointed immediately to the same cabinet or council, that representative is eligible to be immediately appointed to another cabinet or council for which the conference has a seat.

d. Conference Rotation. Under the rotational schedule, all of a conference's terms on the councils and cabinets rotate at the same time. For example, the terms of all America East Conference representatives will end at the same time. Further, all representatives within the Football Bowl Subdivision will rotate at the same time. At the Football Championship and Division I Subdivision levels, all conferences have been placed in groups of 10 regardless of subdivision and then further divided in groups of five that will rotate seats at the same time. This assignment at the Football Championship Subdivision/Division I Subdivision levels is designed to anticipate future movement of conferences between the Football Championship and Division I Subdivisions. The 31 multisport conferences are responsible for managing the conference rotational schedule but the NCAA governance staff will maintain a record of the rotational schedule at the National Office on their behalf.

The following 10 Football Championship/Division I Subdivision conferences are assigned to the same rotational grouping:

SWAC	Colonial
OVC	Patriot
Southland	Atlantic Sun
Missouri Valley	MAAC
Big South	Atlantic -10

The grouping of 10 conferences listed above is subdivided in groups of five conferences for rotational purposes as follows:

Group 1: Atlantic Sun, Colonial, Missouri Valley, Ohio Valley, SWAC; and
Group 2: Atlantic 10, Big South, MAAC, Patriot, Southland.

The following 10 Football Championship/Division I Subdivision conferences are assigned to the same rotational grouping:

Southern	MEAC
Ivy	Northeast
Big Sky	Summit
WCC	America East
Horizon	Big West

The grouping of 10 conferences listed above is subdivided in groups of five conferences for rotational purposes as follows:

Group 1: MEAC, Northeast, Southern, Summit, West Coast; and
Group 2: America East, Big Sky, Big West, Horizon, Ivy.

e. Rotational Schedule. The conference rotational schedule is attached as Addendum C.

f. Weighted voting and voting percentages. Weighted voting shall be applied at the Leadership Council, Legislative Council, and Championships/Sports Management Cabinet levels, as these bodies are the three 31-member bodies in the Division I governance structure. The voting percentages in the new governance structure reflect the percentages established under the 1997 agreement. These percentages are listed below as follows:

One representative (who shall have three votes) from each of the following seven conferences:

1. Atlantic Coast Conference;
2. Big East Conference;
3. Big Ten Conference;
4. Big 12 Conference;
5. Conference USA;
6. Pacific-10 Conference; and
7. Southeastern Conference.

One representative (who shall have 1.5 votes) from each of the following four conferences:

1. Mid-American Conference;
2. Mountain West Conference;
3. Sun Belt Conference; and
4. Western Athletic Conference.

One representative (who shall have 1.2 votes) from each of the following conferences:

1. America East;
2. Atlantic 10 Conference;
3. Atlantic Sun Conference;
4. Big Sky Conference;
5. Big South Conference;

6. Big West Conference;
7. Colonial Athletic Association;
8. Horizon League;
9. Ivy Group;
10. Metro Atlantic Athletic Conference;
11. Mid-Eastern Athletic Conference;
12. Missouri Valley Conference;
13. Northeast Conference;
14. Ohio Valley Conference;
15. Patriot League;
16. Southern Conference;
17. Southland Conference;
18. Southwestern Athletic Conference;
19. Summit League; and
20. West Coast Conference.

There shall not be weighted voting at the five 21-member cabinets since not all of the 31 multisport conferences are represented on each of the bodies, with the 11 FBS conferences represented on all five cabinets and the 20 remaining conferences represented on at least two but no more than three cabinets at one time.

g. Roll Call Voting. Roll call voting shall be used at the Legislative Council (as is the case at the Division I Board of Directors level).

IV. REPRESENTATIONAL REQUIREMENTS AND THE APPOINTMENT PROCESS.

a. Gender and Diversity Requirements. The legislated minimums of 20 percent ethnic minorities and 35 percent of either gender shall be applied independently to two separate groups of governance bodies, i.e. the three 31-member governance bodies and the five 21-member governance bodies. Specifically, the representational minimums shall be applied to the 93 service opportunities provided by the 31-member Legislative Council, Leadership Council and Championships/Sports Management Cabinet and that the minimum percentages be applied separately to the 105 service opportunities provided by the five 21-member cabinets.

Additionally, the Football Bowl Subdivision will be responsible for meeting the diversity requirements at each of the two tiers at the level approximately equal to their percentage of representation at that tier (1/3 and 1/2) and the other two subdivisions shall together be responsible for the diversity requirements at each of the two tiers at a level equal to their percentage of representation (2/3 and 1/2).

b. Positional Requirements. While there are no specific positional requirements at the council and cabinet levels, it is expected that the Division I governance structure will be populated by faculty members and athletics administrators who hold a variety of positions. Representatives serving in the Division I governance structure shall represent a variety of perspectives and viewpoints reflective of the diversity of the Division I membership. It should be noted that given that intercollegiate athletics is woven into the fabric of higher education, it is expected that the faculty voice will be strongly heard in the Division I governance structure.

c. Role of the Division I Board of Directors in the Appointment Process. The Board of Directors will make all appointments to the Division I councils and cabinets. As part of this process the Board will examine slates of nominees to not only ensure they meet the legislated requirements but to confirm that each governance body has balanced representation. The Board has stated it wants to ensure the required minimums are just a starting point and not an end in and of themselves.

d. Call for Nominations. The call for nominations for the cabinets and councils will occur each January and the window for conferences to submit nominations will be open until the middle of March. This schedule is designed to provide the conferences with time to work together to present a diverse slate of nominees to the Division I Board of Directors at its April meeting.

e. Role of the Conferences. For the Division I governance structure to truly be populated by a dynamic and diverse group of leaders, the 31 multisport conferences must work closely together to develop the slate of nominees. It is anticipated that each conference as well as the Football Bowl Subdivision and the Football Championship/Division I Subdivision assigned rotational groups will seek to develop tentative appointment plans to help identify and grow new talent to serve in the Division I governance structure.

f. Interim Appointments. While the legislated gender and diversity requirements will not be applied at the time interim appointments are made, the legislated requirements will be applied at the next opportunity for the Board to make regular appointments, thereby ensuring that any appointments made in the interim period are ultimately subject to the legislated requirements.

g. Alternates. The Board, councils and cabinets shall permit alternates to attend the appropriate governance meetings when the appointed representative cannot attend. These governance bodies are encouraged to establish a flexible standard to permit alternates to attend. Given that the Division I governance structure is based on

conference representation, it is therefore essential that conferences are allowed to participate in the structure.

V. LEADERSHIP ROLES.

a. Chair Requirement. Each of the councils and the cabinets shall have a chair serving in a leadership role. Chairs shall serve at least one year but no more than two years in that role.

b. Role of Board of Directors. To assist in the governance transition process, the Division I Board of Directors appointed a chair for each of the councils and cabinets for the first year to allow the chairs to participate in an orientation program. Thereafter, the councils and cabinets will have the discretion to recommend their own chair. The councils and the cabinets will submit the name of the recommended chair to the Board of Directors for final approval.

c. Vice Chair. The councils and cabinets will not be required to appoint a vice chair but will have discretion to recommend a vice chair if it is felt that a vice chair would be beneficial to the efficient management of that group. As is the case with the chair appointment process, the recommendation of the council or cabinet regarding a vice chair shall be forwarded to the Board of Directors for approval.

d. Rotational Schedule for Chairs. At least once every three rotations, there shall be a representative serving as chair at the council and Championships/Sports Management Cabinet levels who is not from the Football Bowl Subdivision.

VI. MEETING SCHEDULE.

a. Division I Board of Directors. The Division I Board of Directors has four scheduled meetings per year. These meetings are held in April, August, October/November and in conjunction with the NCAA Convention in January. Additionally, this group may meet at other times during the year when circumstances warrant. Meetings are typically one day in length starting at 8 a.m. and concluding by mid afternoon. With the exception of the meeting held at the NCAA Convention, the Board of Directors meetings are held in Indianapolis.

b. Division I Presidential Advisory Group. The Division I Presidential Advisory Group has two in-person meetings per year and two scheduled conference calls. The meetings occur in Indianapolis the day before the Division I Board of Directors meetings in October and April. The conference calls are scheduled prior to the

August and January Board of Directors meetings. The Presidential Advisory Group meetings are held in Indianapolis and the meetings typically begin at noon and conclude no later than 5 p.m.

c. Leadership Council. It is anticipated that the Leadership Council will meet approximately three times per year. The Leadership Council's meeting schedule will purposely be somewhat flexible so that it can properly respond to both issues on the Division I agenda and the Division I Board of Directors. This first year, it is anticipated that the group will meet in the summer to get ready for the year ahead, in the fall, at the NCAA Convention and in April prior to the Board of Directors meeting. Given that the Leadership Council and the Legislative Council have separate and distinct functions, the two councils will not necessarily meet directly before or after one another.

d. Legislative Council. The Legislative Council will meet three times per year in conjunction with the regularly scheduled Division II and III Management Council meetings in October, at the NCAA Convention in January and then again in April. This meeting schedule is designed to follow the flow of the annual Division I legislative cycle.

e. Cabinets. The cabinets will meet two or three times per year, depending on workload. The cabinets will meet during a designated three week window in September, February and June/July. This schedule is designed to be responsive to the Division I annual legislative cycle. The coordinated approach to the cabinet meeting schedule is intended to ensure that not only information flows through the governance structure in a timely fashion but that the membership has appropriate notice to anticipate governance reports. Given the relatively small size of the cabinets and their limited jurisdiction, it is anticipated that cabinets will seek to use technology to possibly periodically replace the need for an in-person meeting.

f. Use of Technology. Governance bodies at the council and cabinet levels are encouraged to seek to use technology to help manage their workload.

g. Coordination of meeting schedule. To assist with the flow of governance information and to allow for more coordination between the various cabinets, Shorts Travel will assist in arranging and coordinating the cabinet meeting schedule. The Shorts Travel staff will assist with identifying meeting locations and arranging for contracts for meeting space.

h. Exceptions. Should a cabinet or the Legislative Council want to meet at a time other than a time designated in the master Division I meeting schedule or should a cabinet

or the Legislative Council want to schedule an additional meeting, such requests shall be forwarded to the Leadership Council for consideration and possible approval.

i. Weekends. To the extent possible the schedule will be arranged so there are no meetings on weekends. The NCAA Convention meetings may be an exception to this guide.

j. Meeting Schedule. The Division I meeting schedule is attached as Addendum D.

VII. STRUCTURE OF MEETINGS.

a. Work as a committee of the whole. All cabinets and councils shall work as bodies of the whole rather than divide into subcommittees to conduct their work. The purpose of governance groups working as bodies of the whole is to ensure that all representatives serving on governance bodies have an opportunity to participate in discussions on key issues and that there is more transparency in the governance process. There are certain cabinet duties that will require the establishment of subcommittees, for example, Initial Eligibility Waivers and Progress Towards Degree Waiver Appeals groups.

b. Request to form subcommittees. Any subcommittee within the new Division I governance structure (except appellate bodies) must be legislatively established, whereby the jurisdiction of the subcommittee is clearly set forth.

c. Administrative Committees. The cabinets and councils shall have the discretion to establish an administrative committee to assist in addressing the interim actions of that body. The jurisdiction of these administrative committees shall be limited to conducting interim actions and these committees shall not be used as a means to work as a small group on specific projects.

VIII. COMMUNICATION WITH GOVERNANCE REPRESENTATIVES AND WITH THE MEMBERSHIP.

a. Publication and Posting of Agendas. Agendas and associated meeting materials for the cabinet and council meetings shall be both mailed to representatives and posted on the NCAA's Website at least 17 days in advance of meetings. Every effort should be made to ensure the meeting materials are as complete as possible at the time of mailing and that the distribution of supplemental materials at meetings is kept to a minimum. In the event additional supplements need to be distributed after the 17-day mailing/posting deadline, these supplements shall be posted to the NCAA's Website

in a timely fashion. Further, if a cabinet or council has established a legislatively approved subcommittee, the meeting materials for that subcommittee must also be posted on the Website in a timely fashion. Efforts should be made to try to coordinate mails for the cabinet.

b. Report Format. Each cabinet will produce one report, which will be submitted to both the Leadership and Legislative Councils. Reports shall distinguish between action items and information items and between legislative and non legislative items. The process is designed to be simple with both councils receiving the one report from each of the six cabinets.

c. Report Deadlines and Posting. Reports from all cabinet and council meetings shall be written and posted on the NCAA's Website within three days of the scheduled conclusion of that governance meeting. This deadline is intended to enhance the level of coordination between governance bodies and to ensure that conference officials and the membership are informed about governance issues in a timely fashion.

d. Liaison Program. Effective communication is essential to any successful form of governance. For the Board of Directors and membership to have confidence in the new structure, there must be regular and frequent communication between the various governance bodies.

1. Council Level. The chairs of both the Leadership and Legislative Councils will be invited to regularly attend the Board of Directors meetings. Additionally, the written reports from each council meeting must be provided to the other council as a matter of course and the chairs or vice chairs of each council will attend the other council's meeting on an as needed basis.

2. Cabinet Level. The cabinet chairs may be asked to attend a meeting of one of the councils from time to time depending on the issues being discussed but it will not be required as a matter of course. Additionally, as a supplement to the work of the Communications and Coordination Committee, representatives from both councils will be assigned as informal liaisons to follow the work and discussions of each cabinet. These liaisons will not automatically be expected to attend their assigned cabinet's meetings; rather the type and frequency of communication between the councils and the cabinets will be dictated by the issues being examined.

IX. DIVISION I STUDENT-ATHLETE ADVISORY COMMITTEE (SAAC).

a. Representatives of Student-Athlete Advisory Committee serving within the Structure. Given the importance of the student-athlete voice in the Division I governance structure, the chair of the Division I Student-Athlete Advisory Committee serves on the Leadership Council and the vice chair serves on the Legislative Council, both as non-voting members. Further, each of the six cabinets is assigned one representative from the Division I Student-Athlete Advisory Committee to serve as a non-voting member.

b. Liaisons to the Student-Athlete Advisory Committee. A total of three representatives from the combined Leadership and Legislative Councils shall serve as liaisons to the Division I Student-Athlete Advisory Committee. At least one representative shall be from the Legislative Council. As liaisons, representatives shall try to participate in SAAC meetings and conference calls to the extent their schedules allow.

X. DIVISION I LEGISLATIVE PROCESS.

a. Sponsoring Legislation. The Legislative Council along with the Board of Directors, Leadership Council, cabinets and any of the 31 multi-sport conferences will be permitted to propose legislation under the Division I governance structure.

b. Timeframe for sponsoring legislation. The deadline for sponsoring legislation for the conferences, cabinets and councils is July 15, which marks the beginning of the annual legislative cycle. The Board of Directors has until the conclusion of the October Board meeting to sponsor legislation in the annual cycle.

c. Noncontroversial or Emergency Legislation. While Division I follows an annual legislative cycle, the Board of Directors and the Legislative Council shall be permitted to adopt emergency or non-controversial legislation provided the legislation is adopted by at least a three-fourths majority of the members present and voting. The Legislative Council shall have established guidelines that will be applied to determine if a legislative proposal meets the standards to be considered as either emergency or non-controversial legislation. (Note: The roles of the Legislative Council and Board are the same under this process as they are under the process for adoption of legislation in the annual legislative cycle. Accordingly, the Legislative Council's action will not be considered final until the conclusion of the Board meeting.) The Leadership Council does not have authority to adopt legislation, but rather it provides advice to the Legislative Council and to the Board of Directors.

d. Guidelines regarding Noncontroversial/Emergency Legislation. The Legislative Council's guidelines regarding non-controversial/emergency legislation are attached as Addendum E.

e. Division I Legislative Cycle. While the specific terms of the Division I legislative process are found in the NCAA manual, a general description of the legislative cycle is set forth below including comments from the former Governance Subcommittee:

1. Setting the Legislative Agenda. Throughout the year the Board of Directors, with the help of the Leadership Council, will help set the Division I legislative agenda by suggesting concepts for development by the governance substructure. Ideas may also be developed by the substructure.

2. Deadline for Sponsoring Legislative. The conferences, cabinets and councils must submit legislative concepts by July 15. The Division I Board of Directors has until its October meeting to sponsor legislation.

3. Role of the September Cabinet Meeting. The six issue-specific cabinets will meet within a three week window in September to begin offering comments and suggested modifications to legislative proposals in the annual legislative cycle. [Note: It is possible, given the more limited jurisdiction of the cabinets that more than one cabinet will be asked to review and comment on a proposal, thereby providing the Legislative Council with a variety of different perspectives from which to consider a proposal.]

4. Coordination and General Process. Legislative matters originating from the Board, the Leadership Council or any of the six cabinets shall be forwarded to the Legislative Council for consideration. Further, comments from committees pertaining to legislative proposals will be shared with the Legislative Council. The Legislative Council, in turn, will report directly to the Board of Directors. The Legislative Council's actions will also be shared with the Leadership Council for information but the Legislative Council will not be considered to report to the Leadership Council, as the two councils are on the same tier in the governance structure. The Leadership Council may advise the Board regarding any legislative proposal, but cannot override or alter the Legislative Council's action on a proposal.

5. October Legislative Council Meeting. Legislative Council will meet in October at the same time as the Division II and III Management Councils for a scheduled two-day meeting to begin reviewing the legislative proposals in the annual legislative cycle. [Note: Ideally, it may be helpful for the Legislative Council to consolidate and reconcile similar proposals at this meeting, but it may be too early in the legislative process for the council to be able to perform this task. If the Legislative Council is unable to reconcile legislative proposals

at this meeting due to timing issues, the Legislative Council is charged with reconciling proposals at its January meeting.]

6. Role of the Legislative Council in Commenting on Legislation. It is envisioned that at points during the legislative cycle, the Leadership Council may offer comments and advice to assist the Board of Directors regarding select legislative proposals in the annual legislative cycle.

7. Division I Official Notice. The Division I Official Notice, which includes all of the proposals to be considered as part of the annual legislative cycle, will be published on-line no later than November 15. The notice will include comments from the substructure regarding proposals and is intended to serve as a guide for not only the membership but for the Legislative Council and Board as they seek to consider legislative proposals at the NCAA Convention meetings.

8. Role of the Legislative Council at the NCAA Convention. The Legislative Council will meet at the beginning of the NCAA Convention to formally consider legislation. The Legislative Council will have three options when considering proposals. Those options are: Adopt the proposal upon initial review – (Category 1); Send the proposal out for additional membership comment – (Category 2); and Defeat the proposal – (Category 3). Proposals that receive at least 2/3 support of the members present and voting shall be considered adopted, subject to reporting to the Board for possible action by that group. Proposals that do not receive the requisite 2/3 support but receive at least a majority of the members that either support the proposal for adoption or support sending the proposals out for comment, will be sent out for additional membership comment.

9. Legislative Role of the Board of Directors at the Convention. The Board of Directors will meet at the NCAA Convention, but a few days after the Legislative Council. At that time the Board of Directors will receive a report from the Legislative Council regarding legislative actions taken by that group. The Legislative Council's report will include a listing of those proposals, which were adopted upon initial review (Category 1) and those proposals, which were defeated by the Legislative Council (Category 3). It is not envisioned that the Board of Directors will choose to consider every proposal in the Category 1 and 3 listings, but that the Board, with the advice and assistance of the Leadership Council, will seek to review and take action on a small number of proposals that are identified as being important to the overall future of Division I. In the event the Board determines further review is necessary, the Board could seek additional feedback from the substructure or take action itself. No legislative

action by the Legislative Council will be considered final until after the conclusion of the Board of Directors meeting to ensure the Board can ask to consider those proposals it so chooses. Legislative proposals that the Legislative Council believes would benefit from additional membership review and comment will be listed as Category 2 proposals and will be shared with the Board as information at the January meeting.

10. 60-day Comment Period. The 60-day comment period will begin at the conclusion of the Board meeting and is intended to provide the membership and affiliate groups with an opportunity to share opinions and amendments-to-amendments that are less expansive in scope. This information will ultimately be shared with the councils and Board as those bodies continue to examine the legislative proposals in advance of the April governance meetings.

11. April Legislative Council Meeting. In April, the Legislative Council will meet to consider those proposals remaining in the annual legislative cycle. This will be the second review of these legislative proposals in the annual legislative cycle. Proposals will be adopted based on a simple majority of those members present and voting.

12. April Board of Directors Meeting. In late April, the Board of Directors will meet and as part of its agenda, it will receive a report from the Legislative Council on legislative actions taken at its most recent meeting. As was the case in January, the Legislative Council's legislative actions will be considered the default position, subject to the Board of Directors oversight. Again, the Board will properly have the authority to review any actions by the Legislative Council and take independent action. Again, the Legislative Council's actions will not be considered final until the conclusion of the Board of Directors meeting to ensure the Board has proper oversight.

13. Override Process. The Division I legislative process provides for a membership override process. The specific terms of which are set forth in the NCAA Division I Manual.

Understanding the New Division I Governance Structure

Division I Governance Chairs' Orientation Session.

Board of Directors

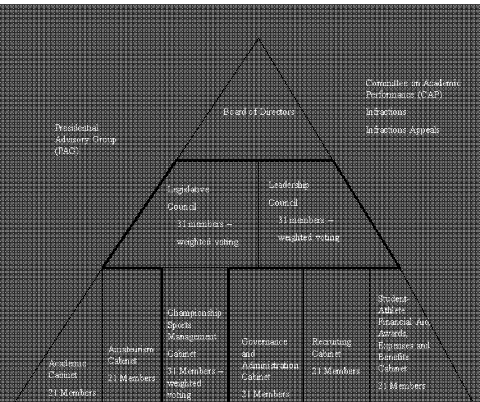
- Board shall retain its primacy in the governance structure.
- No change to the size, composition or purpose of the Board.
- 18 institutional presidents or chancellors.
  - One each from the 11 Division FBS conferences.
  - Seven members from the 20 Division FCS/Div. I conferences.
- No major changes to functions of the Board.
- The Board will serve as the ultimate legislative authority.
- The Board will have the authority to consider any legislative proposal but will not be required to consider every proposal.

Board of Directors (BOD)

- Changes intended to aid the Board in:
  - Establishing working principles for the division;
  - Setting the divisional agenda; and
  - Examining broad policy initiatives.
- Four meetings per year August, October, April and January.
  - New – The Committee on Infractions and Infractions Appeals Committee will report to the Board.
- James Barker, Clemson University, chair.

Division I Presidential Advisory Group (PAG)

- PAG will remain intact.
- PAG plays a valued role in advising the Board and in enhancing presidential communication.
- 20-person advisory group representing all Division FCS/Div. I conferences.
  - Includes seven members of the Board of Directors.
- Duties:
  - Advise the Board regarding the FCS/Division I perspective.
  - Enhance governance communication.
- Two in-person meetings – October and April/two conference calls August and January.
- Bruce Grube, President, Georgia Southern University, chair.



Leadership Council (31 members)

- Serve as the primary advisory group to the Board on strategic and policy issues.
- Provide background information, advice and counsel to the Board on legislative and non legislative matters.
- Receive authority from the Board through agendas that mirror the Board's.
- Suggest concepts for the legislative agenda.
- Have a national focus rather than a local/conference one.
- Retain much of the former Management Council's jurisdiction, except legislation.

Leadership Council (31 members)

- 31 members representing the 31 multi-sport conferences
- Weighted voting (7 FBS conferences 3 votes, 4 FBS conferences 1.5 votes and 20 conferences 1.2 votes).
- Three meetings per year.
- Flexible schedule to respond to the Board.
- First meeting August 2008.
- No roll call voting .
- Damon Evans, Athletics Director, University of Georgia, chair.

Legislative Council (31 members)

- Primary legislative body in Division I subject to Board direction and review.
- Legislative role similar to former Management Council.
- Final legislative authority with regard to proposals not selected by the Board for further review.
  - Note: Board has authority to consider <u>any</u> proposal in the cycle.
- Charged with:
  - Identifying strengths & weaknesses of proposed legislation;
  - Developing educational materials; and
  - Providing more consistency in the legislative approach.

Legislative Council (31 members)

- 31 members representing each of the multisport conferences with weighted voting.
- Three meetings per year. (October, January and April)
- Roll call voting.
- Jackie Campbell, Assoc. Commissioner, Atlantic 10 Conference, chair.

Cabinets

- Championships/Sports Management Cabinet.
  - Same jurisdiction as former cabinet except committee selections and some awards and benefits issues.
  - New – Sports committees will assume both championships and sports administration issues.
  - Jeff Schemmel, San Diego State, chair.
- Administration Cabinet.
  - Division I governance issues.
  - Division I membership process.
  - All committee selections.
  - Rob Halvaks, Big West Conference, chair.

page 10

Cabinets

- Academics Cabinet.
  - Oversee academic research and policies;
  - Establish, managing and monitoring eligibility standards; and
  - Appellate body for academic waivers.
  - Carolyn Callahan, University of Virginia, chair.
- Recruiting Cabinet.
  - Bylaw 13/recruiting matters; and
  - Bylaw 11/conduct and employment issues.
  - Petrina Long, UCLA, chair.

page 11

Cabinets

- Student-Athlete Awards, Benefits and Financial Aid Cabinet.
  - Bylaw 15/financial aid matters, and
  - Bylaw 16/awards and benefits issues (except championships awards and travel).
  - Grace Calhoun, Indiana University, chair.
- Amateurism Cabinet.
  - Amateurism issues;
  - Oversight of amateurism issues pertaining to the Eligibility Center; and
  - Issues regarding student-athlete likeness and promotions.
  - Mike Rogers, Baylor University, chair.

page 12

Cabinets

- 31 members on the Championships/Sports Management Cabinet.
  - Weighted voting.
- 21 members on each of the remaining five cabinets.
  - 11 representatives from the FBS conferences/10 from the FCS/Div. I conferences.
  - Each FCS/Div. I conference has representatives on at least two but no more than three of the five remaining cabinets.
- Three meetings per year. September, February and June/July.
- Meetings shall be approximately two days in length.

Rotational Schedule

- Football Bowl Subdivision.
  - Eight governance seats. All conference seats rotate at the same time. All seats within this subdivision rotate at the same time.
- Football Championship Subdivision/Division I Subdivision.
  - Permanent governance seats on the Leadership Council, Legislative Council and Championships Cabinet. Rotating seats on the other five cabinets. Seat on at least two but no more than three cabinets at one time.
  - Rotational schedule based on 2 groups of ten conferences, which are subdivided into groups of 5 conferences.
  - Within groupings, all seats rotate at the same time.

Gender/Diversity and Positional Requirements

- Standard:
  - To apply the legislated minimums of 20 percent ethnic minorities and 35 percent of either gender to two separate groups independently (i.e., the three 31-member governance bodies and the five 21-member governance bodies).
- There are no numeric positional requirements but it is imperative that the faculty voice be heard.
- Subdivisions responsible for meeting diversity requirements at level equal to their percentage of representation at that tier (FBS 1/3 and 1/2) (FCS/Div. I 2/3 and 1/2).

Gender/Diversity and Positional Requirements

- Board to take an active role in ensuring the slate of nominees reflects not only appropriate levels of gender and ethnic diversity, but positional diversity as well.
- The Leadership Council's first agenda item is to determine whether there are additional ways to enhance the level of diversity in the structure while still providing conferences with some level of flexibility.
- Board suggested possibly establishing benchmarks for future growth.

Communication/Coordination Committee

- A coordinated Division I agenda requires a high level of communication between the various governance bodies.
- Leaders from the cabinets and councils will serve on a Communication/Coordination Committee.
- Charge – To coordinate consideration of issues and legislative concepts between the various bodies and to ensure a high level of communication among the bodies.
- This committee will meet before the grouping of meetings.

Legislative Process

- Sponsoring Legislation. The Board, councils and cabinets along with any of the conferences may sponsor legislation.
- Timeframe for sponsoring legislation. July 15 is the deadline for conferences, cabinets and councils. Board has until the conclusion of its October meeting.
- Noncontroversial or Emergency Legislation. The standard for noncontroversial or emergency legislation still apply.
- Setting the Legislative Agenda. Throughout the year the Board, with the Leadership Council's help, will seek to set the Division I legislative agenda. Substructure may also provide ideas.

Legislative Process

- Role of the September Cabinet Meeting. The cabinets will meet within a three-week window in September to begin offering comments and suggested modifications to proposals.
- October Legislative Council Meeting. The Council will begin reviewing proposals to provide comments and suggestions in preparation for January.
- Role of the Leadership Council. At any point in the cycle, the Leadership Council may offer comments and advice to assist the Board.
- Division I Official Notice. Will be published on-line no later than November 15.

Legislative Process

- Role of the Legislative Council at the NCAA Convention. The Council has three options when considering proposals:
  - Adopt the proposal – (Category 1);
  - Send the proposal out for additional comment – (Category 2); and
  - Defeat the proposal – (Category 3).
- Proposals that receive at least 2/3 support are considered adopted, subject to Board oversight.
- Proposals that do not receive 2/3 support but receive at least a majority that either support the proposal or support sending the proposals out for comment, are sent out for additional comment.

Legislative Process

- Legislative Role of the Board of Directors at the Convention. The Board will receive a report from the Legislative Council listing adopted proposals (Category 1) and defeated proposals (Category 3).
- If the Board determines a proposal needs further review, the Board can seek additional feedback or take action itself.
- The Legislative Council's actions are not considered final until the conclusion of the Board meeting.
- Proposals sent out for additional comment (Category 2) will be shared with the Board as information.

Legislative Process

- 60-day Comment Period. Begins at the conclusion of the Board meeting and provides the membership and affiliates with an opportunity to share opinions and amendments-to-amendments that are less expansive in scope.
- April Legislative Council Meeting. Legislative Council will consider proposals remaining in the cycle. Proposals are adopted based on a simple majority.
- April Board of Directors Meeting. The Board to receive a report on the Legislative Council's actions. The Board has authority to review any action and take independent action. The Legislative Council's actions will not be considered final until the conclusion of the Board meeting.

Features of the New Governance Structure

- No Subcommittees. Bodies to work as a committee of the whole rather than subdivide.
  - Subcommittees must be set forth legislatively (except appellate bodies).
- Administrative Committees. Bodies have discretion to establish an administrative committee to address interim actions.
- Mailing Deadlines. Agendas and meeting materials shall be mailed and posted at least 17 days in advance of meetings.

Features of the New Governance Structure

- Complete Mailings. Every effort shall be made to ensure meeting mailings are as complete as possible and the distribution of supplemental materials at meetings is kept to a minimum.
- Report Format. Each cabinet will produce one report, for submission to both councils. Reports will distinguish between action items and information items and between legislative and non legislative items.
- Report Deadlines. All reports shall be written and posted within three days of the scheduled conclusion of that meeting.

Features of the New Governance Structure

- Council Level. Both councils chairs to attend Board meetings.
  - Written reports from each council will be provided to the other.
  - Chairs to attend the other council's meeting as needed.
- Cabinet Level. Cabinet chairs to attend council meetings only on an as needed basis.
  - Representatives from both councils will be assigned as an informal liaison to follow the work of each cabinet.
  - The type/frequency of communication between the councils and the cabinets will be dictated by the issues being examined.

Transition

- Issues. Structure and staff charged with developing a priority list of projects and issues to be carried forward in the new structure.
- Staffing. Assigned experienced staff liaisons but also used as an opportunity to grow new talent.
- Orientation. Session intended to ensure:
  - The themes identified by the Governance Subcommittees are shared; and
  - Those serving have a general understanding of Division I and its issues.

NCAA Division I
Awards, Benefits, Expenses and Financial Aid Cabinet

Policies and Operating Procedures

[Effective July 1, 2008]

NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet

Policies and Operating Procedures

Table of Contents

1. Cabinet Responsibilities 1

2. Cabinet Organization 2

3. Objectives of the New Division I Governance Structure 3

4. Agenda Development 4

Appendixes

Appendix A -- Conference Representation Information and Requirements

Appendix B -- Division I Governance Structure

Appendix C -- Meeting Schedule for Division I Governance Entities

Appendix D -- Chart of Division I Legislative Process

Appendix E -- Excerpted Legislation Governing Division I Cabinets and Committees

Appendix F -- Guidance Regarding Meeting Minutes, Notes and E-Mail

Division I Awards, Benefits, Expenses and Financial Aid Cabinet

Policies and Operating Procedures

1. Cabinet Responsibilities

The NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet has oversight authority in the following areas:

a. Be responsible for review and consideration of the portions of Division I legislation that relate to principles of awards, benefits, expenses and financial aid;

b. Study issues and make policy or legislative recommendations related to the provision of financial aid to student-athletes; and

c. Study issues and make policy or legislative recommendations related to the provision of awards, benefits and expenses to student-athletes (excluding awards, benefits and expenses related to NCAA championships).

The cabinet meets three times annually (February, June and September). If a cabinet member is unable to attend a cabinet meeting for a compelling reason, a conference may appoint an alternate for that individual. Alternates may attend, participate fully in and vote in any cabinet meeting or activity in which the regular member is unable to participate (excluding Administrative Committee meetings).

# # # # #

2. Cabinet Organization

Refer to Appendix A for information on conference representation in the governance structure and the representational requirements.

The cabinet has established an Administrative Committee in order to allow the cabinet to make timely and efficient progress on issues before it:

Administrative Committee

The Administrative Committee consists of five members, including the chair of the cabinet (who also serves as chair of the Administrative Committee) and one member from each of the subdivisions of Division I.

The Administrative Committee is authorized to:

a. Act for the cabinet on routine and noncontroversial matters (e.g., responding to requests for feedback on waivers) between cabinet meetings.

b. Act for the cabinet on matters of an emergency nature, particularly those related to the health and safety of student-athletes.

c. Organize and structure meeting agendas subsequent to the submission of agenda items by cabinet members.

The full cabinet will receive minutes or reports of Administrative Committee actions as soon as possible.

# # # # #

3. Objectives of the New Division I Governance Structure

a. Objectives at the Board of Directors Level.

(1) To preserve the final decision-making role of the Board.

(2) Strengthen the foundation for the Board's policy setting role.

(3) Ensure high quality input/advice from other levels of the NCAA structure.

(4) Reduce the legislative load on the Board.

(5) Reduce/eliminate minutiae where possible.

b. Objectives at the levels below the Board of Directors.

(1) Develop a national dialog within the full membership on consequential issues facing Division I and use representative governance bodies to develop legislation and discuss policy issues.

(2) Achieve a significant contributing role for the membership in decisions that set the direction of the Association.

(3) Identify a delegated agenda from the Board on which the councils take action for the Association.

(4) Ensure that governance matters are addressed at the appropriate level in the substructure so that the Board and the councils are not tied down addressing minutiae.

(5) Attract the right people to serve (experience, maturity, respect, and judgment) for meaningful work.

(6) Regain membership trust that the operating level of intercollegiate athletics has a voice in consequential decisions within the Association.

Provide for minimum representational (functional, gender, ethnicity) distribution in some defined sense overall within the governance structure, but not necessarily on each council, cabinet, or committee.

# # # # #

4. Agenda Development

a. Any cabinet member or conference may submit an agenda item for a meeting. (Conferences not represented on the cabinet may submit agenda items only with the knowledge of their conference commissioner.) Agenda items should be sent to the staff liaison at the NCAA national office. The staff will consult with the cabinet member or conference to determine how best to handle the item and what supplementary material should be provided, if any. The item will be placed on the agenda, with the name of the member or conference that submitted the item.

b. The staff will send a request for agenda items to cabinet members approximately 10 weeks prior to the meeting. Items must be submitted eight weeks prior to the meeting. The agenda and supplements will be mailed approximately three weeks prior to the meeting so as to be received at least 17 days prior to the meeting.

c. Generally, appearances before the cabinet are by invitation only. Exceptions may be made by the administrative committee on a case-by-case basis.

# # # # #

APPENDIX A

Conference Representation in the Governance Structure

a. Conference Representation. Division I has a representative form of governance based on conference affiliation. Accordingly, conferences are responsible for submitting the names of nominees for the various governance bodies and representatives on the Board, Presidential Advisory Group, councils and cabinets serve on behalf of the conferences. All 31 multisport conferences are represented on the Legislative and Leadership Councils and the Championships/Sports Management Cabinet. (Subject to weighted voting.). All 11 Football Bowl Subdivision conferences are represented on the five 21-member cabinets. The 20 Football Championship and Division I Subdivision conferences are represented on no fewer than two but no more than three cabinets at any one time.

b. Terms. With the reorganization of the Division I governance structure scheduled to take effect in September 2008, representatives on the cabinets and councils have been assigned staggered terms of two, three and four years to help create a level of continuity on the councils and cabinets. Upon expiration of those terms, all service terms will be four years in length. To assist the individual conferences along with the 31 multisport conferences in managing their governance nomination process, a conference rotational schedule has been designed. Pursuant to this schedule, all conferences within the Football Bowl Subdivision rotate at the same time and conferences in the Football Championship Subdivision/Division I Subdivision have been assigned to groups of 10 and further designated into groups of five, which rotate at the same time. This means that when these rotations occur, individuals will be assigned four-year terms. In the event of interim appointments, those appointments will complete the original four year term and are subject to the conference's rotational schedule. Where an individual serves a complete four-year term, that term will automatically coincide with the conference's term on the rotational schedule. To explain in more detail, where an individual leaves a term before the four-year term ends and someone else is appointed as a replacement, that person will serve until the conclusion of the conference's term on the rotational schedule. If the replacement representative serves less than two years, that person may again be appointed to a full term on the same governance body if the conference has a seat on that body when the conference's rotation starts anew.

c. Eligibility to Serve. While a representative who serves what is considered to be a full term on a cabinet or council is not eligible to be reappointed immediately to the same cabinet or council, that representative is eligible to be immediately appointed to another cabinet or council for which the conference has a seat.

d. Conference Rotation. Under the rotational schedule, all of a conference's terms on the councils and cabinets rotate at the same time. For example, the terms of all America East Conference representatives will end at the same time. Further, all representatives within the Football Bowl Subdivision will rotate at the same time. At the Football Championship and Division I Subdivision levels, all conferences have been placed in groups of 10 regardless of subdivision and then further divided in groups of five that will rotate seats at the same time. This assignment at the Football Championship Subdivision/Division I Subdivision levels is designed to anticipate future movement of conferences between the Football Championship and Division I Subdivisions. The 31 multisport conferences are responsible for managing the conference rotational schedule but the NCAA governance staff will maintain a record of the rotational schedule at the National Office on their behalf.

The following 10 Football Championship/Division I Subdivision conferences are assigned to the same rotational grouping:

SWAC	Colonial
OVC	Patriot
Southland	Atlantic Sun
Missouri Valley	MAAC
Big South	Atlantic -10

The grouping of 10 conferences listed above is subdivided in groups of five conferences for rotational purposes as follows:

Group 1: Atlantic Sun, Colonial, Missouri Valley, Ohio Valley, SWAC; and
Group 2: Atlantic 10, Big South, MAAC, Patriot, Southland.

The following 10 Football Championship/Division I Subdivision conferences are assigned to the same rotational grouping:

Southern	MEAC
Ivy	Northeast
Big Sky	Summit
WCC	America East
Horizon	Big West

The grouping of 10 conferences listed above is subdivided in groups of five conferences for rotational purposes as follows:

Group 1: MEAC, Northeast, Southern, Summit, West Coast; and
Group 2: America East, Big Sky, Big West, Horizon, Ivy.

e. Rotational Schedule. The conference rotational schedule is attached as Addendum C.

f. Weighted voting and voting percentages. Weighted voting shall be applied at the Leadership Council, Legislative Council, and Championships/Sports Management Cabinet levels, as these bodies are the three 31-member bodies in the Division I governance structure. The voting percentages in the new governance structure reflect the percentages established under the 1997 agreement. These percentages are listed below as follows:

One representative (who shall have three votes) from each of the following seven conferences:

1. Atlantic Coast Conference;
2. Big East Conference;
3. Big Ten Conference;
4. Big 12 Conference;
5. Conference USA;
6. Pacific-10 Conference; and
7. Southeastern Conference.

One representative (who shall have 1.5 votes) from each of the following four conferences:

1. Mid-American Conference;
2. Mountain West Conference;
3. Sun Belt Conference; and
4. Western Athletic Conference.

One representative (who shall have 1.2 votes) from each of the following conferences:

1. America East;
2. Atlantic 10 Conference;
3. Atlantic Sun Conference;
4. Big Sky Conference;
5. Big South Conference;
6. Big West Conference;
7. Colonial Athletic Association;
8. Horizon League;
9. Ivy Group;
10. Metro Atlantic Athletic Conference;
11. Mid-Eastern Athletic Conference;
12. Missouri Valley Conference;
13. Northeast Conference;
14. Ohio Valley Conference;
15. Patriot League;
16. Southern Conference;
17. Southland Conference;
18. Southwestern Athletic Conference;
19. Summit League; and
20. West Coast Conference.

There shall not be weighted voting at the five 21-member cabinets since not all of the 31 multisport conferences are represented on each of the bodies, with the 11 FBS conferences represented on all five cabinets and the 20 remaining conferences represented on at least two but no more than three cabinets at one time.

g. Roll Call Voting. Roll call voting shall be used at the Legislative Council (as is the case at the Division I Board of Directors level).

Representational Requirements and the Appointment Process

a. Gender and Diversity Requirements. The legislated minimums of 20 percent ethnic minorities and 35 percent of either gender shall be applied independently to two separate groups of governance bodies, i.e. the three 31-member governance bodies and the five 21-member governance bodies. Specifically, the representational minimums shall be applied to the 93 service opportunities provided by the 31-member Legislative Council, Leadership Council and Championships/Sports Management Cabinet and that the minimum percentages be applied separately to the 105 service opportunities provided by the five 21-member cabinets.

Additionally, the Football Bowl Subdivision will be responsible for meeting the diversity requirements at each of the two tiers at the level approximately equal to their percentage of representation at that tier (1/3 and 1/2) and the other two subdivisions shall together be responsible for the diversity requirements at each of the two tiers at a level equal to their percentage of representation (2/3 and 1/2).

b. Positional Requirements. While there are no specific positional requirements at the council and cabinet levels, it is expected that the Division I governance structure will be populated by faculty members and athletics administrators who hold a variety of positions. Representatives serving in the Division I governance structure shall represent a variety of perspectives and viewpoints reflective of the diversity of the Division I membership. It should be noted that given that intercollegiate athletics is woven into the fabric of higher education, it is expected that the faculty voice will be strongly heard in the Division I governance structure.

c. Role of the Division I Board of Directors in the Appointment Process. The Board of Directors will make all appointments to the Division I councils and cabinets. As part of this process the Board will examine slates of nominees to not only ensure they meet the legislated requirements but to confirm that each governance body has balanced representation. The Board has stated it wants to ensure the required minimums are just a starting point and not an end in and of themselves.

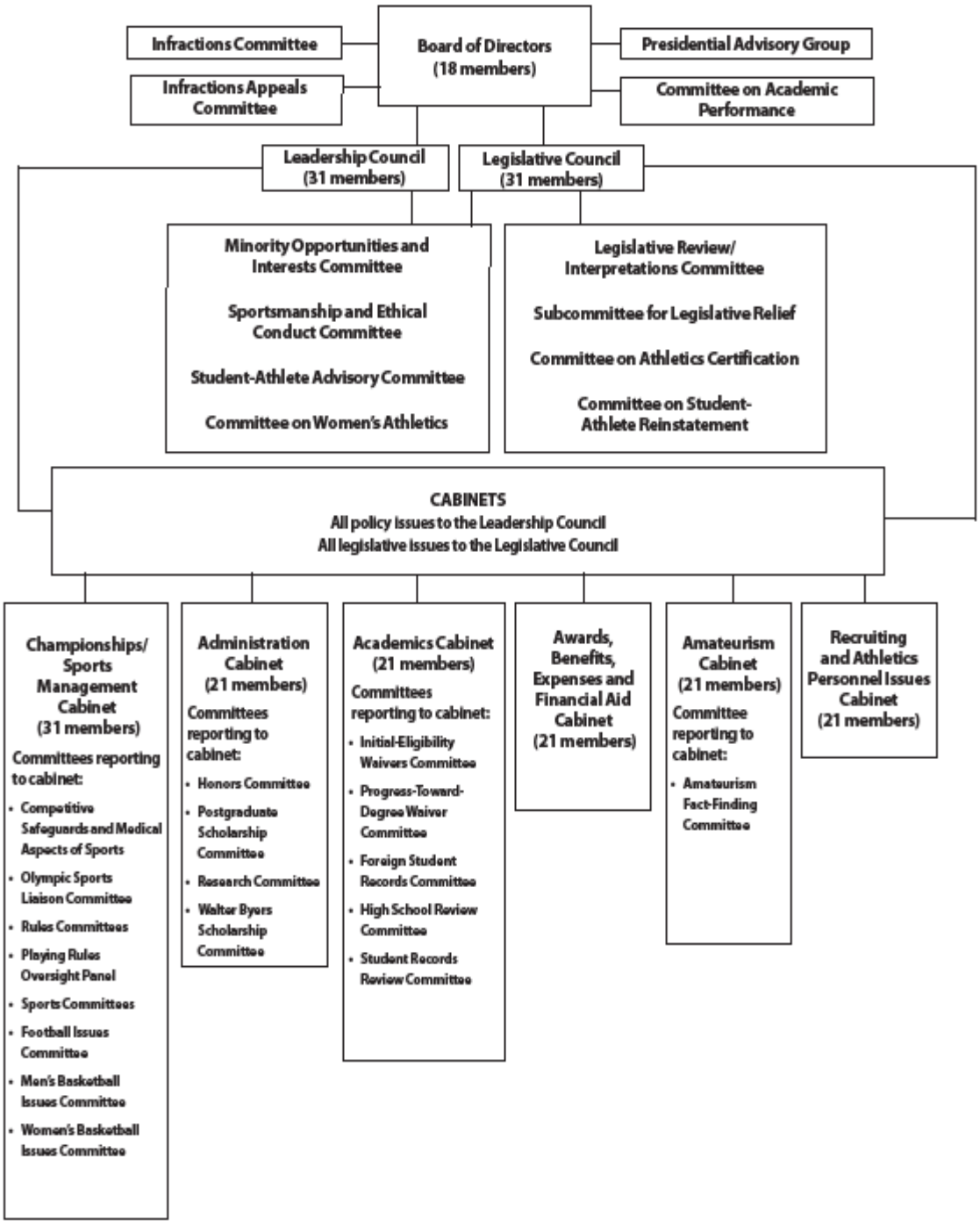
d. Call for Nominations. The call for nominations for the cabinets and councils will occur each January and the window for conferences to submit nominations will be open until the middle of March. This schedule is designed to provide the conferences with time to work together to present a diverse slate of nominees to the Division I Board of Directors at its April meeting.

e. Role of the Conferences. For the Division I governance structure to truly be populated by a dynamic and diverse group of leaders, the 31 multisport conferences must work closely together to develop the slate of nominees. It is anticipated that each conference as well as the Football Bowl Subdivision and the Football Championship/Division I Subdivision assigned rotational groups will seek to develop tentative appointment plans to help identify and grow new talent to serve in the Division I governance structure.

f. Interim Appointments. While the legislated gender and diversity requirements will not be applied at the time interim appointments are made, the legislated requirements will be applied at the next opportunity for the Board to make regular appointments, thereby ensuring that any appointments made in the interim period are ultimately subject to the legislated requirements.

g. Alternates. The Board, councils and cabinets shall permit alternates to attend the appropriate governance meetings when the appointed representative cannot attend. These governance bodies are encouraged to establish a flexible standard to permit alternates to attend. Given that the Division I governance structure is based on conference representation, it is therefore essential that conferences are allowed to participate in the structure.

FIGURE 4-1
Division I Governance Structure



APPENDIX C

Meeting Schedule for Division I Governance Entities

Division I Awards, Benefits, Expenses and Financial Aid Cabinet

September 18-19, 2008, Indianapolis, Indiana (New governance structure)
February 5-6, 2009, Los Angeles, California
June 10-11, 2009, Indianapolis, Indiana

Division I Leadership Council

August 6, 2008, Indianapolis, Indiana
January 15, 2009, Washington, DC

Division I Legislative Council

October 20-21, 2008, Indianapolis, Indiana
January 14-15, 2009, Washington, DC
April 20-21, 2009, Indianapolis, Indiana

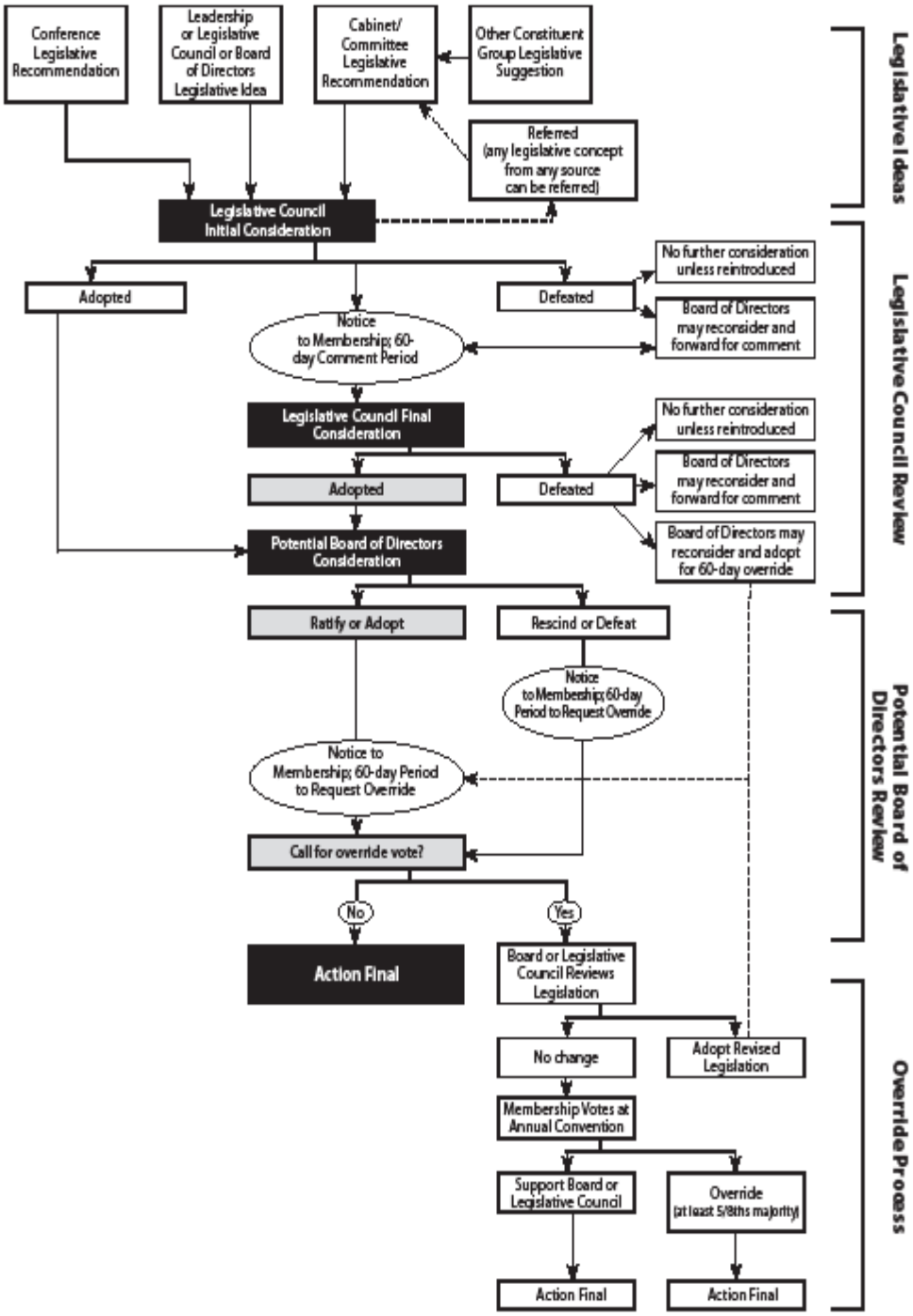
Division I Board of Directors

August 7, 2008, Indianapolis, Indiana
October 30, 2008, Indianapolis, Indiana
January 17, 2009, Washington, DC
April 30, 2009, Indianapolis, Indiana

Executive Committee

August 7, 2008, Indianapolis, Indiana
October 31, 2008, Indianapolis, Indiana
January 17, 2009, Washington, DC

FIGURE 5-1
NCAA Division I Legislative Process



Guidelines for Consideration of
Emergency/Noncontroversial Legislation

Emergency/Noncontroversial Legislation – Guidelines. The following guidelines are to assist in determining whether a proposal should be considered outside the normal legislative process as either noncontroversial or emergency legislation:

a. **Noncontroversial legislation.** Legislative proposals shall be considered noncontroversial only if:

- Broader consultation and debate are unlikely to improve the proposal in any substantial way.
- Significant disagreement or alternative points of view will not be generated.
- Such proposals do not have a significant impact (unanticipated consequences, undesirable precedent) on existing legislation or proposed legislation.

A noncontroversial proposal, at a minimum, should have the following factors present:

- The proposal should have minimal impact on competitive or recruiting equity.
- The proposal should have minimal financial impact.
- The proposal must enjoy broad support from its primary stake holders.
- The proposal should not negatively impact student-athlete welfare.
- The proposal should not significantly impact the Division I academic standards (initial and continuing eligibility).

b. **Emergency legislation.** Legislative proposals shall be considered emergency legislation only if:

- Significant values or harm are at stake; and
- The use of the regular legislative cycle is likely to cause undue hardship to the Association or the Division I membership because of the delay in its effective date.

Examples of situations in which it may be appropriate to consider legislation emergency include, but are not limited to, the following:

- Immediate health and safety concerns or issues.
- Potential legal actions.

- Issues that have a significant financial impact.

- Egregious situations involving disparities in fairness.

- Unintended or unanticipated consequences resulting from the current legislation.

c. <u>Process for considering noncontroversial or emergency proposals</u>.

There is a two-part process for voting on noncontroversial or emergency proposals, as follows:

- The Legislative Council shall initially vote on whether a proposal shall be considered as noncontroversial or emergency. The proposal must receive three-fourths majority of all Legislative Council members present and voting to satisfy such a standard. Those proposals that do not satisfy such standards will not be considered defeated, but will be considered by the Division I membership in accordance with the normal legislative process.

- A proposal that satisfies the initial standard as being either noncontroversial or emergency will then be debated by the full Legislative Council on its merits. Such a proposal will then require a three-fourths majority of Legislative Council members present and voting to approve the proposal. Proposals that do not receive a three-fourths majority vote, but receive a majority vote, will be remanded back into the normal legislative cycle.

APPENDIX E

Excerpted Legislation Governing Division I Cabinets and Committees

Eligibility for Membership
[21.7.1]

1. "On the Staff." Individual shall be salaried on a regular basis by a Division I member institution or conference and perform a regular staff function representing at least 50 percent of the normal workload, unless otherwise specified. [21.7.1.1]

2. Modification in Employment Status. If a cabinet or committee member's employment status is altered to the extent that the individual no longer meets this requirement, the individual shall be replaced. [21.7.1.1.1]

3. Individuals on Sabbatical or Temporary Leave. An individual on such leave for a period not exceeding 12 consecutive months may be considered to be "on the staff". An individual on terminal leave or on leave in excess of 12 consecutive months shall not be eligible to serve. [21.7.1.1.2]

4. Waiver of Replacement Requirement**.** The Administrative Cabinet, subject to ratification by the Board of Directors, shall have the authority to waive this provision or to approve a delayed replacement if it deems that an immediate replacement would be detrimental to the work of the cabinet or committee involved. [21.7.1.1.3]

Appointments, Method of Selection and Term of Office
[21.7.3]

1. Appointment of Cabinets -- Conference Representation. Each conference listed in Constitution 4.2.1-(a) shall have one representative on each of the cabinets. Each of the conferences listed in Constitution 4.2.1-(b) shall have at least two representatives on the cabinets in the aggregate. [21.7.3.1]

2. Term of Office of Cabinets**.** The term of office for members of cabinets shall be as follows:
   (a) Members of cabinets shall be appointed for one four-year term. A former cabinet or committee member may be appointed to an additional term on that cabinet or committee after three years have elapsed. An individual who has served two terms on a cabinet or committee may not serve further on that cabinet or committee;
   (b) The terms of office of Football Bowl Subdivision positions and Football Championship Subdivision and Division I Subdivision positions shall expire on a staggered basis to provide for continuity. Members may be appointed for less than full terms;

(c) The terms of office shall commence on the first day of July following the member's appointment;

(d) Members who serve more than one-half of a term shall be considered to have served a full term;

(e) A conference may remove its representative to a cabinet during a term; and

(f) The chair of each cabinet may recommend to the Administration Cabinet that a member be replaced if he or she is not properly discharging his or her duties. [21.7.3.2]

Conflict of Interest
[21.7.4]

A cabinet or committee member shall not participate in the cabinet or committee's discussion or vote on any action that might bring direct or indirect financial benefit to the member or any organization in which the member is financially interested (other than the member's institution or the conference of which it is a member). A violation of this rule by a member of a cabinet or committee shall not invalidate the action taken by the cabinet or committee if, following disclosure of the conflict of interest, the cabinet or committee authorizes, ratifies or approves the action by a vote sufficient for the purpose, without counting the vote of the cabinet or committee member with the conflict of interest, and the Leadership Council approves such action.

Guidance for Committee Members Regarding Meeting Minutes, Notes and E-Mail

Committee members' notes of meetings are subject to discovery if litigation ensues regarding the committee's work. The following guidelines will assist in determining what is appropriate and what is not appropriate to include in meeting minutes and notes.

Meeting minutes and notes should…

- Be taken if needed.
- Include information regarding the historical development of programs.
- Synopsize the committee discussion along with whether the committee supported the proposed action or not.
- Clearly express the rationale and reasoning behind policy decisions and recommendations (including obvious reasons, e.g., the action was taken "to preserve the integrity of the game").

Meeting minutes and notes should not…

- Contain extraneous matters or personal comments.
- Identify what individual committee members said or how they voted.
- Include "attorney-client privileged" materials that were shared during a meeting (instead, the minutes should reflect that the committee reviewed and discussed recommendations of legal counsel in executive session without revealing specific recommendations and whether the committee chose to adopt them).

Retention of notes…

- Committee members should routinely discard their notes from committee meetings when they are no longer needed. However, in the event of litigation, committee members may be directed NOT to discard their notes. From that point until instructed otherwise by NCAA legal counsel, no material from past or present meetings may be discarded.

E-mail communications…

- E-mail communications between committee members and a staff liaison and other NCAA staff members are also discoverable in litigation. Care and discretion therefore should be exercised in committing to writing sensitive matters that might better be dealt with in person or by telephone.
- Committee members are advised to routinely discard e-mail that is no longer needed, with the exception that should litigation ensue, they may be directed NOT to discard their e-mail.

White v NCAA

As a result of the White Case settlement, the NCAA has created the Former Student-Athlete Fund web site to assist qualified candidates applying for receipt of career development services and/or reimbursement of educational expenses under the terms of the agreement with plaintiffs in a federal antitrust lawsuit.

The settlement, approved on August 4, 2008 by the U.S. District Court in Los Angeles, ends a case in which plaintiffs argued that limiting student-athlete grants-in-aid to tuition, room and board and books in certain sports amounted to a restriction of trade.

Among other things, the settlement agreement called for the creation of a $10 million fund to provide certain career development services and reimburse various educational expenses to those former student-athletes who were members of the class involved in the lawsuit (and who qualify under and comply with requirements associated with the Fund). The Fund is intended to allow the former student-athletes at issue to gain career development skills and further their overall education. The class consists of student-athletes that received an athletics grant-in-aid and were (1) a Football Bowl Subdivision (formally Division I-A) football player, or (2) a men's basketball player in the ACC, Big East, Big Ten, Big 12, Conference USA, Pac-10, SEC, Sun Belt, MAC, Mountain West, WAC, Atlantic 10, Horizon League, Colonial Athletic Association, Missouri Valley Conference or West Coast Conference at any time between February 17, 2002 and August 4, 2008.

So long as the Fund is not exhausted, qualified former student-athletes may apply during a three-year period beginning August 11, 2008, to receive certain career development services and/or reimbursement of certain educational expenses. The services must be received, and the expenses must be incurred, during the three-year period. Qualified former-student athletes may receive up to $500 in career development services and/or $2,500 per year for three years in reimbursement of certain educational expenses.

Applicants must meet the criteria and requirements, and submit the forms and other documentation to be eligible for services and/or reimbursement. Claims must be submitted on the Proof of Eligibility and Claim Form to be considered. The NCAA shall make all final determinations regarding former student-athlete qualifications and eligibility to receive the noted benefits.

For questions regarding the settlement, please contact Beth Barnett at bbarnett@ncaa.org or 317/917-6430.

Information related to the White Case Settlement.

Summary of Settlement and Frequently Asked Questions

Q: What are the provisions of the settlement?

A: The settlement includes the following provisions:

- Expansion of access to existing NCAA funds for the benefit of all student-athletes. These monies from the Special Assistance and Academic Enhancement funds total $218 million through 2012-13 and will now be available to NCAA student-athletes under the guidelines of the Student-Athlete Opportunity Fund. Current uses of the funds are still permissible.

- Creation of a $10 million fund from NCAA reserves to assist former Division I student-athletes who are members of the class action lawsuit. From this fund, these former student-athletes can seek certain career development services and/or reimbursement of certain educational expenses.

  - Class members can apply for prescribed career development services through the NCAA program (resume preparation, career counseling, job training), not to exceed $500 in value;

  - Class members can also apply for a maximum of $2,500 per year for three years in reimbursement of certain educational expenses through an accredited two or four year undergraduate, graduate or professional certificate education program.

  - The NCAA will create a page on their website to explain the benefits, and the requirements for obtaining the same, and allow these former student-athletes to apply for services/funds.

- Adoption of a new rule permitting (but not requiring) Division I institutions to provide year-round, comprehensive health insurance to student-athletes.

- Permission for Division I institutions to provide basic accident coverage for student-athlete injuries stemming from athletics' participation.

- Examination of a potential rule change by the NCAA membership to allow colleges and universities to provide multi-year scholarships.

Q: Is this settlement agreement final?

A: Yes. A hearing to determine final approval of the settlement was August 4, 2008. Services and money will be available for former student-athletes who are members of the class on August 11, 2008. Current student-athletes who are enrolled thereafter can request their schools to apply for money for them as they have in the past under Student- Athlete Opportunity Fund guidelines.

Q: I am a prospective/current student-athlete. How do I get some of the money that I have heard about from this settlement?

A: Student-athletes who are enrolled thereafter can request their schools to apply for money for them as they have in the past under Student- Athlete Opportunity Fund guidelines. A description of the fund and the purposes for which it can be used can be found on the NCAA Web site using the following link:

http://www.ncaa.org/connect/resources/RevenueDistributionPlan.pdf

Q: I have graduated/left school. Is there any money in the settlement for me?

A: Only if you were a member of the class of student-athletes that was certified by the federal court in the lawsuit. To be in the class you had to have received an athletics grant-in-aid and been (1) a Football Bowl Subdivision (formally Division I-A) football player, or (2) a men's basketball player in the ACC, Big East, Big Ten, Big 12, Conference USA, Pac-10, SEC, Sun Belt, MAC, Mountain West, WAC, Atlantic 10, Horizon League, Colonial Athletic Association, Missouri Valley Conference or West Coast Conference at any

time between February 17, 2002, and August 4, 2008. You also must not have formally opted out of the class. If you meet these criteria, you will be able to apply for receipt of certain career development services and/or reimbursement of certain education expenses incurred between August 11, 2008, and August 10, 2011. A more detailed description of what can be requested, and the requirements and procedures for doing so, will be found at www.ncaa.org.

Q: How do I find out whether I have formally opted out of the class?

A: You can contact the plaintiffs' attorney to determine whether you have opted out of the class.

Courtney A. Palko
Blecher & Collins, P.C.
515 S. Figueroa Street, 17th Floor
Los Angeles, CA 90071
Phone: 213/622-4222
Fax: 213/622-1656
cpalko@blechercollins.com

Q: How come female student-athletes don't get any of this money? Isn't that a violation of Title IX?

A. First, female student-athletes who are enrolled student-athletes WILL be able to apply through their schools for assistance under Student Athlete Opportunity Fund (SAOF) guidelines that may come from Academic Enhancement, Special Assistance Fund or SAOF funds.

Females will not be eligible for the services/funds available to qualifying class members, since females were not part of the class, and since the law requires that, for a settlement agreement to be valid, there must be something of value provided to those who brought the lawsuit as opposed to something of value to a broader group. To do so does not violate Title IX as the individuals who will receive those benefits are no longer student-athletes and are not included in any headcounts of athletics participants for Title IX financial aid equity purposes.

Q: I never received any notice about this lawsuit but I think I might be a member of the class. How do I go about getting one?

A: In fall 2007, schools and colleges who had potential class members either mailed out notice about the lawsuit themselves to their current or former student-athletes or gave their addresses to the attorneys for the plaintiffs to do so. (See answer above as to who is a member of the class). During spring 2008 the same procedure was to be followed for the mailing of an additional notice to class members alerting them to the proposed settlement terms.

If you failed to receive such a notice or you have any questions regarding the settlement, you can contact the plaintiffs' attorney about your concern.

Courtney A. Palko
Blecher & Collins, P.C.
515 S. Figueroa Street, 17th Floor
Los Angeles, CA 90071
Phone: 213/622-4222
Fax: 213/622-1656
cpalko@blechercollins.com

Q: What is the proposed settlement's impact on proposal 2005-102?

A: Proposal 2005-102 was adopted, however the proposal became effective August 4th when the settlement was approved. This proposal permits member institutions to purchase a medical insurance policy to cover the medical expenses for any injury or illness sustained by a student-athlete.

Q: Does this settlement change the definition or calculation of a full grant-in-aid?

A: This settlement does not change the NCAA legislation related to the definition or calculation of a full grant-in-aid.

Q: Are monies received under the settlement counted towards a student-athlete's individual financial aid limit or the institution's team financial aid limit?

A: Monies received under this settlement are not countable in individual or team limits.

Q: How do I submit a claim?

A: Access the Proof of Eligibility and Claim form (http://www.ncaa.org/White Case Settlement). Complete the form in its entirety, obtain the Athletic Director's signature from your former institution, sign the form yourself and submit the form to Right Management at the contact information provided on the form. Once your claim form has been reviewed and processed and your claim has been determined as eligible for benefits, you will be contacted for further instructions.

Q: Why do I have to get the Athletic Director's signature?

A: The NCAA does not have the means to determine if you were, in fact, a student-athlete and/or received athletic aid at that institution. There is no "database" within the NCAA that houses this type of information. The signature by the Athletic Director serves as the verification of your institution attended and any aid received during your specified years.

Q: How do I obtain the Athletic Director's signature?

A: Mail, fax or email a copy of your form to the current Athletic Director of your former institution, requesting their verification of your attendance and athletic aid received. Athletic Directors are aware of their importance in this process and should be willing to cooperate. If the Athletic Director at your former institution refuses to provide a signature, please contact Beth Barnett at the NCAA at bbarnett@ncaa.org or 317/917-6430.

Q: What happens if there are funds left at the end of the three year period?

A: Any funds remaining at the end of the claim period will be rolled into the existing revenue distribution funds for Academic Enhancement, Special Assistance and Student-Athlete Opportunity Funds.

Q: How do I find out the status of my claim?

A: To check the status of a submitted claim, please contact Right Management via email at ncaa.services@right.com or fax at 317/469-4258.

Q: Do certification courses qualify under the educational expense reimbursement?

A: Yes, courses related to obtaining a professional certification would qualify under the educational expense reimbursement as long as the courses result in a grade or pass/fail designation (other than on the certification exam itself) and are offered at an accredited educational institution.

Q: What is included in the career development services?

A: The career development services include web-based workshops, coaching, and research tools that provide participants with tools and techniques needed to conduct an effective job search. The available workshops include: Managing in a Time of Change, Career Assessment Review and Evaluation, Your Resume, Job Search Communications, Approaching the Marketplace, The Job Interview Process, Closure Phase, and Website Tools.

NCAA Division I Legislative Proposals for Review by Awards, Benefits, Expenses and Financial Aid Cabinet

Proposal Number	Title	Status	Source	Effective Date	Intent
2008-14	Recruiting -- Definitions and Applications -- Prospective Student-Athlete – Enrollment and Attendance in Summer Classes Prior to Initial Full-Time Enrollment	Legislative Council Initial Consideration	NCAA Division I Academics/Eligibility/ Compliance Cabinet (Subcommittee on Recruiting)	Immediate	To specify that an individual shall no longer be considered a prospective student-athlete for purposes of the contact limitations in Bylaw 13 and shall be considered a student-athlete for purposes of Bylaw 16 at the point in which he or she officially registers and enrolls and attends classes in an institution's summer term prior to initial full-time enrollment.
2008-25	Recruiting -- Official Visit and Letter of Intent Programs – Requirements for Official Visit and Offers of Athletically Related Financial aid – Completion of Amateurism Certification Questionnaire	Legislative Council Initial Consideration	NCAA Division I Academics/Eligibility/ Compliance Cabinet (Subcommittee on Agents and Amateurism and Subcommittee on Recruiting)	August 1, 2009	To specify that a high school, preparatory school or transfer (if applicable) prospective student-athlete must complete the amateurism certification questionnaire administered by the NCAA Eligibility Center before an institution may provide the prospective student-athlete an official visit; further, to specify that an institution shall not provide a high school, preparatory school or transfer prospective student-athlete a written offer of athletically related financial aid until he or she has completed the amateurism certification questionnaire with the Eligibility Center.

Proposal Number	Title	Status	Source	Effective Date	Intent
2008-28	Recruiting – Financial Aid Agreements – Offers of Aid Before July 1 Following Junior Year – Women's Lacrosse	Legislative Council Initial Consideration	Ivy Group	August 1, 2009	In women's lacrosse, to specify that an institution shall not offer (or indicate that it will or may offer), orally or in writing, athletically related financial aid, other institutional financial aid or admissions assistance before July 1 following the prospective student-athlete's junior year in high school; further, to specify that an institution shall not accept any commitment from a prospective student-athlete before July 1 following the prospective student-athlete's junior year in high school.
2008-40	Financial Aid -- Maximum Institutional Grant-in-Aid Limitations by Sport – Women's Volleyball	Legislative Council Initial Consideration	Pacific-10 Conference	Immediate	In women's volleyball, to increase the maximum institutional grant-in-aid limitation from 12 to 13.
2008-41	Financial Aid -- Maximum Institutional Grant-in-Aid Limitations by Sport -- Baseball	Legislative Council Initial Consideration	Southeastern Conference	August 1, 2009	In baseball, to increase the annual limit on the value of financial aid awards (equivalencies) to counters from 11.7 to 14.

Proposal Number	Title	Status	Source	Effective Date	Intent
2008-42	Awards, Benefits and Expenses -- Complimentary Admissions and Ticket Benefits – Postseason Events	Legislative Council Initial Consideration	Big Ten Conference	August 1, 2009	To specify that an institution may provide each student-athlete who participates in or is a member of a team participating in a postseason event (e.g., conference championship, NCAA championship, National Invitation Tournament, bowl game) with six complimentary admissions to all intercollegiate athletics events at the site at which the student-athlete (or team) participates.
2008-43	Awards, Benefits and Expenses – Housing and Meals -- Nutritional Supplements -- Fruit, Nuts and Bagels	Legislative Council Initial Consideration	Atlantic Coast Conference	August 1, 2009	To specify that fruit, nuts and bagels are classes of nonmuscle-building nutritional supplements that may be provided to student-athletes for the purpose of providing additional calories and electrolytes.

Proposal Number	Title	Status	Source	Effective Date	Intent
2008-44	Awards, Benefits and Expenses -- Expenses Provided by the Institution for Practice and Competition -- Departure/Return Expense Restrictions -- Exceptions -- Travel Following Championships Events and Postseason Football Games	Legislative Council Initial Consideration	Atlantic Coast Conference	Immediate	To specify that travel following contests in NCAA championship events, national governing body championships in emerging sports or licensed postseason football games that take place during the institution's official vacation period during the academic year or between regular academic terms are exempt from the requirement that a student-athlete remain no longer than 36 hours following the conclusion of the competition in order to receive actual and necessary expenses to return to campus.
2008-52	Playing and Practice Seasons -- Football -- Preseason Practice -- Limit on Number of Participants – Replacement of Student-Athlete Due to Injury or Illness	Legislative Council Initial Consideration	Southeastern Conference	Immediate	In football, to specify that a student-athlete who sustains an injury or illness that prevents further participation in preseason practice activities may be replaced with another student-athlete without including that individual in the institution's limitation on the number of individuals who may participate in preseason practice.

Proposal Number: 2008-14

Title: Recruiting – Definitions and Applications – Prospective Student-Athlete – Enrollment and Attendance in Summer Classes Prior to Initial Full-Time Enrollment.

Intent: To specify that an individual shall no longer be considered a prospective student-athlete for purposes of the contact limitations in Bylaw 13 and shall be considered a student-athlete for purposes of Bylaw 16 at the point in which he or she officially registers and enrolls and attends classes in an institution's summer term prior to initial full-time enrollment.

Bylaws: Amend 13.02.11, as follows:

13.02.11 (Prospective Student-Athlete). A prospective student-athlete is a student who has started classes for the ninth grade. In addition, a student who has not started classes for the ninth grade becomes a prospective student-athlete if the institution provides such an individual (or the individual's relatives or friends) any financial assistance or other benefits that the institution does not provide to prospective students generally. An individual remains a prospective student-athlete until one of the following occurs (whichever is earlier):

[13.02.11-(a) through 13.02.11-(b) unchanged.]

(c) The individual officially registers and enrolls and attends classes during the summer prior to initial full-time enrollment *and receives institutional athletics aid.*

[13.02.11.1 unchanged.]

Source: NCAA Division I Academics/Eligibility/Compliance Cabinet (Subcommittee on Recruiting).

Effective Date: Immediate.

Category: Amendment.

Topical Area: Recruiting.

Rationale: Current legislation permits any individual who is enrolled in the institution's summer term prior to his or her initial, full-time enrollment at the certifying institution to be provided academic support services and to use the institution's training room facilities without signing a National Letter of Intent (NLI). In addition, in football and basketball, any individual who is enrolled in the institution's summer term prior to his or her initial, full-time enrollment at the certifying institution may engage in voluntary summer workouts conducted by an institution's strength and conditioning coach regardless of whether the individual has signed an NLI or is

receiving athletically related financial aid during the summer term. Although these individuals have not signed an NLI and are not receiving summer financial aid, they are no longer being recruited by the institution and they receive the same access to institutional facilities and services as individuals who have signed an NLI or are receiving summer financial aid. Accordingly, these individuals should also be provided the benefits of student-athletes for purposes of Bylaw 16 and the institutions at which they are enrolled should not be subject to the contact restrictions of Bylaw 13.

Budget Impact: Minimal; based on possible benefits and modes of contact.

Impact on S-A's Time: Minimal; based on possible benefits and contact.

Position Statement(s): None.

History: *June 10, 2008,* Submit; Submitted for consideration.
June 11, 2008, Cabinet/Committee, Sponsored.

Proposal Number: 2008-25

Title: Recruiting -- Official Visit and Letter of Intent Programs – Requirements for Official Visit and Offers of Athletically Related Financial Aid – Completion of Amateurism Certification Questionnaire.

Intent: To specify that a high school, preparatory school or transfer (if applicable) prospective student-athlete must complete the amateurism certification questionnaire administered by the NCAA Eligibility Center before an institution may provide the prospective student-athlete an official visit; further, to specify that an institution shall not provide a high school, preparatory school or transfer prospective student-athlete a written offer of athletically related financial aid until he or she has completed the amateurism certification questionnaire with the Eligibility Center.

Bylaws: Amend 13.6.3, as follows:

13.6.3 (Requirements for Official Visit). The following requirements must be met before an institution may provide an official visit to a prospective student-athlete:

[13.6.3-(a) through 13.6.3-(b) unchanged.]

(c) A high school or preparatory school prospective student-athlete must register with the NCAA Eligibility Center; *and*

(d) A high school or preparatory school prospective student-athlete must be placed on the institution's institutional request list (IRL) with the NCAA Eligibility Center; **and**

(e) A high school, preparatory school or transfer (if applicable) prospective student-athlete must complete the amateurism certification questionnaire administered by the NCAA Eligibility Center.

[13.6.3.1 through 13.6.3.2 unchanged.]

Bylaws: Amend 13.9, as follows:

13.9 (Letter of Intent Programs, Financial Aid Agreements)

13.9.1 (*NCAA Eligibility Center Registration and Institutional Request List* **Requirements for Offer of Athletically Related Financial Aid).** *An institution shall not provide a high school or preparatory school prospective student-athlete a written offer of athletically related financial aid (per Bylaw 15.3.2.3) until he or she has registered with the NCAA Eligibility Center and the institution has placed the prospective student-athlete on its institutional request list (IRL) with the Eligibility Center.* **The following requirements must be met before an institution may provide a written offer of athletically related financial aid (per Bylaw 15.3.2.3) to a prospective student-athlete:**

(a) A high school or preparatory school prospective student-athlete must register with the NCAA Eligibility Center;

(b) A high school or preparatory school prospective student-athlete must be placed on the institution's institutional request list (IRL) with the NCAA Eligibility Center; and

(c) A high school, preparatory school Or transfer (if applicable) prospective student-athlete must complete the amateurism certification questionnaire administered by the NCAA Eligibility Center.

[Remainder of 13.9 unchanged.]

Source: NCAA Division I Academics/Eligibility/Compliance Cabinet (Subcommittee on Agents and Amateurism and Subcommittee on Recruiting).

Effective Date: August 1, 2009.

Category: Amendment.

Topical Area: Recruiting.

Rationale: Current legislation requires that a prospective student-athlete present an institution with a high school (or college) academic transcript and register with the Eligibility Center prior to taking an official visit to the institution. Prior to the official visit, the institution must also place the prospective student-athlete on its institutional request list. Requiring prospective student-athletes to take the additional step of completing the amateurism questionnaire prior to taking an official visit and prior to receiving a written offer of athletically related aid will allow the Eligibility Center to begin the process of certifying prospective student-athletes' amateur status at an earlier date and will help ease case volume leading up to and after the start of the academic year when competition is pending. The effective date of August 1, 2009, will provide adequate notice to institutions and prospective student-athletes.

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s): None.

History: *February 12, 2008,* Submit; Submitted for consideration.
February 13, 2008, Academics/Eligibility/Compliance Cabinet, Sponsored.
June 11, 2008, Academics/Eligibility/Compliance Cabinet; Modified proposal to also specify that an institution shall not provide a prospective student-athlete (including a prospective transfer student-athlete who is subject to the amateurism certification process) a written offer of athletically related financial aid until he or she has completed the amateurism certification questionnaire with the Eligibility Center.

Proposal Number: 2008-28

Title: Recruiting – Financial Aid Agreements -- Offers of Aid Before July 1 Following Junior Year – Women's Lacrosse.

Intent: In women's lacrosse, to specify that an institution shall not offer (or indicate that it will or may offer), orally or in writing, athletically related financial aid, other institutional financial aid or admissions assistance before July 1 following the prospective student-athlete's junior year in high school; further, to specify that an institution shall not accept any commitment from a prospective student-athlete before July 1 following the prospective student-athlete's junior year in high school.

Bylaws: Amend 13.9.2, as follows:

13.9.2 (Letter of Intent Restriction). A member institution may not participate in an institutional or conference athletics letter-of-intent program or issue an institutional or conference financial

aid agreement that involves a signing date that precedes the initial regular (as opposed to early) signing date for the National Letter of Intent program in the same sport. However, an institution may permit a prospective student-athlete to sign an institutional or conference letter of intent during the National Letter of Intent early signing period in the applicable sport.

[13.9.2.1 unchanged.]

13.9.2.2 (Offer of Aid Before Signing Date -- **Sports Other Than Women's Lacrosse)**. *An* **In sports other than women's lacrosse,** institution may indicate in writing to a prospective student-athlete that an athletically related grant-in-aid will be offered by the institution; however, the institution may not permit the prospective student-athlete to sign a form indicating his or her acceptance of such an award before the initial signing date in that sport in the National Letter of Intent program.

13.9.2.3 (Offer of Aid Before July 1 Following Junior Year -- Women's Lacrosse). In women's lacrosse, an institution shall not offer, (or indicate that it will or may offer), orally or in writing athletically related financial aid, other institutional financial aid or admissions assistance before July 1 following the prospective student-athlete's junior year in high school. An institution shall not accept any commitment from a prospective student-athlete before July 1 following the prospective student-athlete's junior year in high school.

Source: Ivy Group.

Effective Date: August 1, 2009.

Category: Amendment.

Topical Area: Recruiting.

Rationale: The Women's Lacrosse Coaches Association believes that stopping the trend of college coaches providing verbal offers of admissions and scholarship support and asking for and receiving verbal commitments from prospective student-athletes during their junior year in high school will result in a higher quality recruiting process for prospective student athletes and coaches. This proposal seeks to take the pressure and "fear" approach out of recruiting (e.g., fear that if the prospect does not accept an offer she may not receive another one) and replace it with the opportunity for prospects to make informed decisions. In addition, waiting until July 1 following a prospect's junior year in high school to make offers and accept commitments allows coaches to use the early summer months for evaluations at high school games and tournaments, thereby giving a more accurate view of a prospective student-athlete's talent and potential, as well as her academic qualifications. This amendment is part of a package of proposals sponsored on behalf of the Intercollegiate Women's Lacrosse Coaches Association, designed to address recruiting issues in that sport. The proposals also may serve as a pilot program for adoption in other sports, if they prove effective.

Budget Impact: None.

Impact on S-A's Time: None.

Position Statement(s): None.

History: *July 8, 2008,* Submit; Submitted for consideration.

Proposal Number: 2008-40

Title: Financial Aid – Maximum Institutional Grant-in-Aid Limitations by Sport – Women's Volleyball.

Intent: In women's volleyball, to increase the maximum institutional grant-in-aid limitation from 12 to 13.

Bylaws: Amend 15.5.2, as follows:

15.5.2 (Head-Count Sports Other Than Football and Basketball).

15.5.2.1 (Maximum Limits). An institution shall be limited in any academic year to the total number of counters (head count) in each of the following sports:

Women's Gymnastics 12

Women's Volleyball *12* **13**

Women's Tennis 8

[Remainder of 15.5.2 unchanged.]

Source: Pacific-10 Conference.

Effective Date: Immediate.

Category: Amendment.

Topical Area: Financial Aid.

Rationale: In 2004, an adhoc group made up of members of the NCAA Division I Academics/Eligibility/Compliance Cabinet Subcommittee on Financial Aid, the NCAA

Division I Management Council and the NCAA Division I Committee on Women's Athletics performed a comprehensive review of the appropriateness of the maximum institutional grant-in-aid limitations in women's sports. As a result of its review, the group recommended legislation to increase the institutional grant-in-aid limitation in women's volleyball from 12 to 13 to reflect the addition of the "libero" position. The legislation was adopted by the Board of Directors in 2005, but it was narrowly overridden by the membership in January 2006. Data continues to support the recommendation to increase the institutional grant-in-aid limitation in this sport. The addition of the libero and specialization by position has resulted in an increase in squad sizes in the sport (up to 14.5 in 2005-06 from 14.0 in 2003-04). High school participation also has increased, resulting in a larger pool of viable prospective student-athletes who are worthy of athletics scholarships. The proposed increase also takes into consideration that the average number of volleyball student-athletes receiving athletics grant-in-aid is relatively consistent among Division I institutions. This fact is an important competitive and recruiting equity consideration.

Budget Impact: Potential increase of one scholarship per institution.

Impact on S-A's Time: None.

Position Statement(s): None.

History: *June 26, 2008,* Submit; Submitted for consideration.

Proposal Number: 2008-41

Title: Financial Aid -- Maximum Institutional Grant-in-Aid Limitations by Sport – Baseball.

Intent: In baseball, to increase the annual limit on the value of financial aid awards (equivalencies) to counters from 11.7 to 14.

Bylaws: Amend 15.5.4, as follows:

15.5.4 (Baseball Limitations). During the 2008-09 academic year, there shall be a limit of 11.7 on the value of financial aid awards (equivalencies) to counters and a limit of 30 on the total number of counters, in baseball at each institution. During the 2009-10 academic year and thereafter, there shall be an annual limit of *11.7* **14** on the value of financial aid awards (equivalencies) to counters and an annual limit of 27 on the total number of counters in baseball at each institution.

[Remainder of 15.5.4 unchanged.]

Source: Southeastern Conference.

Effective Date: August 1, 2009.

Category: Amendment.

Topical Area: Financial Aid.

Rationale: Currently, institutions are limited to providing a maximum of 27 student-athletes with at least 25 percent of an equivalency beginning August 1, 2009. This is a step forward in improving the academic success of baseball student-athletes, but additional steps are necessary to further the initiative to increase graduation rates and retain student-athletes. Many baseball student-athletes receive only token amounts of athletically related financial aid. Low scholarship amounts are byproducts of the numbers needed to field a baseball team and the low number of equivalencies that are available. An increase to the maximum equivalencies will allow institutions the flexibility to provide student-athletes with increased athletically related financial aid to further reduce the likelihood of transfer to another institution. Further, as a result of small equivalency values during the academic year, many student-athletes are required to pay the majority of the cost to attend summer terms. Given the expense, many student-athletes choose to participate in summer baseball rather than make additional progress toward a degree. Finally, the increase in equivalencies would provide a better financial opportunity for prospective student-athletes from lower income families to participate in baseball. This proposal furthers student-athlete well-being as well as student-athlete retention and academic progress toward a degree.

Budget Impact: Potential increase of 2.3 scholarships per institution.

Impact on S-A's Time: None.

Position Statement(s): None.

History: *July 15, 2008,* Submit; Submitted for consideration.

Proposal Number: 2008-42

Title: Awards, Benefits and Expenses -- Complimentary Admissions and Ticket Benefits -- Postseason Events.

Intent: To specify that an institution may provide each student-athlete who participates in or is a member of a team participating in a postseason event (e.g., conference championship, NCAA championship, National Invitation Tournament, bowl game) with six

complimentary admissions to all intercollegiate athletics events at the site at which the student (or team) participates.

Bylaws: Amend 16.2.1.1.1, as follows:

16.2.1.1.1 (Exception -- *Conference Championships, NCAA Championships and Bowl Games* **Postseason Events)**. An institution may provide each student-athlete who participates in or is a member of a team participating in a **postseason event (e.g.**, conference championship, NCAA championship, **National Invitation Tournament,** *or* bowl game**)** with six complimentary admissions to all intercollegiate athletics events at the site at which the student (or team) participates.

Source: Big Ten Conference.

Effective Date: August 1, 2009.

Category: Amendment.

Topical Area: Awards, Benefits and Expenses.

Rationale: This proposal would simplify and bring consistency to the application of the complimentary admissions legislation and permit a student-athlete to receive six complimentary admissions to postseason events in which the student-athlete participates or is a member of a team participating in the event.

Budget Impact: Varies depending on postseason participation.

Impact on S-A's Time: None.

Position Statement(s): None.

History: *July 15, 2008,* Submit; Submitted for consideration.

Proposal Number: 2008-43

Title: Awards, Benefits and Expenses -- Housing and Meals -- Nutritional Supplements -- Fruit, Nuts and Bagels.

Intent: To specify that fruit, nuts and bagels are classes of nonmuscle-building nutritional supplements that may be provided to student-athletes for the purpose of providing additional calories and electrolytes.

Bylaws: Amend 16.5.2, as follows:

16.5.2 (Permissible). Identified housing and meal benefits incidental to a student's participation in intercollegiate athletics that may be financed by the institution are:

[16.5.2-(a) through 16.5.2-(f) unchanged.

(g) (Nutritional Supplements). An institution may provide only nonmuscle-building nutritional supplements to a student-athlete at any time for the purpose of providing additional calories and electrolytes, provided the supplements do not contain any NCAA banned substances. Permissible nonmuscle-building nutritional supplements are identified according to the following classes: Carbohydrate/electrolyte drinks, energy bars, carbohydrate boosters**,** *and* vitamins and minerals**, fruit, nuts and bagels.**

Source: Atlantic Coast Conference.

Effective Date: August 1, 2009.

Category: Amendment.

Topical Area: Awards, Benefits and Expenses.

Rationale: Current legislation allows for an institution to provide student-athletes with energy bars, carbohydrate/electrolyte drinks, and carbohydrate boosters, but does not allow them to provide actual food items, such as fruits, nuts, or bagels. Dietitians working with student-athletes work to convince student-athletes and coaches that nutrition can have a very big impact on his or her athletics performance, and to convince them that they are not immune to the same types of health risks that nonathletes face. While some sports nutrition supplements have an important role in the lives of athletes, encouraging a diet of healthy and natural foods is a key for establishing a long term healthy lifestyle. Additionally, many permissible nonmuscle-building nutritional supplements may not be as healthy as they seem. Many contain high-fructose corn syrup, which has raised concern among nutritional experts because of the way it is broken down in the body. Excessive amounts of fructose have been theorized to be one of the contributors to the obesity epidemic. Fructose has also been linked, through research, to an increased risk for heart disease and accelerated bone loss.

Budget Impact: Costs related to providing fruit, nuts and bagels to student-athletes at any time.

Impact on S-A's Time: None.

Position Statement(s): None.

History: *July 9, 2008,* Submit; Submitted for consideration.

Proposal Number: 2008-44

Title: Awards, Benefits and Expenses -- Expenses Provided by the Institution for Practice and Competition -- Departure/Return Expense Restrictions -- Exceptions -- Travel Following Championships Events and Postseason Football Games.

Intent: To specify that travel following contests in NCAA championship events, national governing body championships in emerging sports or licensed postseason football games that take place during the institution's official vacation period during the academic year or between regular academic terms are exempt from the requirement that a student-athlete remain no longer than 36 hours following the conclusion of the competition in order to receive actual and necessary expenses to return to campus.

Bylaws: Amend 16.8.1.2.1, as follows:

16.8.1.2.1 (Departure/Return Expense Restrictions). An eligible student-athlete may receive actual and necessary travel expenses to represent the institution in athletics competition, provided the student-athlete departs for the competition no earlier than 48 hours prior to the start of the actual competition and remains no more than 36 hours following the conclusion of the actual competition even if the student-athlete does not return with the team.

16.8.1.2.1.1 (Exceptions). These travel expense restrictions do not apply in the following circumstances:

[16.8.1.2.1.1-(a) through 16.8.1.2.1.1-(d) unchanged.]

(e) Travel following contests in NCAA championship events, National Governing Body championships in emerging sports or licensed postseason football games that take place during the institution's official vacation period during the academic year or between regular academic terms;

[16.8.1.2.1.1-(e) through 16.8..1.2.1.1-(i) relettered as 16.8.1.2.1.1-(f) through 16.8.1.2.1.1-(j), unchanged.]

[Remainder of 16.8.1.2 unchanged.]

Source: Atlantic Coast Conference.

Effective Date: Immediate.

Category: Amendment.

Topical Area: Awards, Benefits and Expenses.

Rationale: Current legislation provides an exception to the 48-hour departure restriction for travel prior to contests in NCAA championship events, National Governing Body championships in emerging sports or licensed postseason football games; however, there is no exception for departing the competition site more than 36 hours following the conclusion of a competition. When these events take place during institutional vacation periods and classes are not in session, many student-athletes and their families choose to stay in the locale of the competition for an extended period after the competition. However, under the current rule, if a student-athlete remains at the site more than 36 hours after the conclusion of the competition, the institution is not permitted to pay for that student-athlete's return transportation. Current legislation provides an exception to the 36-hour return restriction for regular-season competition that takes place during the institution's official vacation period during the academic year and between terms. This proposal would bring consistency to the application of the return restriction for regular-season and championship competition that occurs during the institution's vacation period. The same rationale for an exception for regular-season competition would logically apply to championship competition and postseason football games.

Budget Impact: Potential increase in costs to provide transportation expenses to student-athletes remaining in the locale of competition beyond 36 hours.

Impact on S-A's Time: None.

Position Statement(s): None.

History: *July 9, 2008,* Submit; Submitted for consideration.

Proposal Number: 2008-52

Title: Playing and Practice Seasons -- Football -- Preseason Practice -- Limit on Number of Participants -- Replacement of Student-Athlete Due to Injury or Illness.

Intent: In football, to specify that a student-athlete who sustains an injury or illness that prevents further participation in preseason practice activities may be replaced with another student-athlete without including that individual in the institution's limitation on the number of individuals who may participate in preseason practice.

Bylaws: Amend 17.11.2.1.2, as follows:

[Federated provision, FBS only]

17.11.2.1.2 (Limit on Number of Participants -- Bowl Subdivision). In bowl subdivision football, there shall be a limit of 105 student-athletes who may engage in practice activities prior to the institution's first day of classes or the institution's first contest, whichever occurs earlier.

[17.11.2.1.2.1 unchanged.]

17.11.2.1.2.2 (Replacement of Student-Athlete Due to Injury or Illness). A student-athlete who sustains an injury or illness that prevents further participation in preseason practice activities may be replaced with another student-athlete without including that individual in the institution's 105-participation preseason practice limitation.

[17.11.2.1.2.2 renumbered as 17.11.2.1.2.3 unchanged.]

Bylaws: Amend 17.11.2.1.3, as follows:

[Federated provision, FCS only]

17.11.2.1.3 (Limit on Number of Participants -- Championship Subdivision). In championship subdivision football, there shall be a limit of 90 student-athletes who may engage in practice activities prior to the institution's first day of classes or the institution's first contest, whichever occurs earlier.

[17.11.2.1.3.1 through 17.11.2.1.3.3 unchanged.]

17.11.2.1.3.4 (Replacement of Student-Athlete Due to Injury or Illness). A student-athlete who sustains an injury or illness that prevents further participation in preseason practice activities may be replaced with another student-athlete without including that individual in the institution's limitation on the number of individuals who may participate in preseason practice.

Source: Southeastern Conference.

Effective Date: Immediate.

Category: Amendment.

Topical Area: Playing and Practice Seasons.

Rationale: Current legislation limits the number of student-athletes who may participate in and receive expenses related to preseason practice activities. In addition, current legislation does not allow an injured or ill student-athlete to be replaced in the limit on preseason participants.

This proposal would permit replacement of a student-athlete who sustains an injury or illness that prevents further participation in preseason practice. For the student-athlete to be replaced, he must immediately cease participation in all athletically related activities and may not resume participation in athletically related activities prior to the institution's first day of classes or first contest, whichever occurs first. The replaced student-athlete would not be permitted to return to practice for the remainder of the preseason-practice period; however, football programs that lose student-athletes to injuries or illnesses would be able to maintain a consistent number of preseason practice participants.

Budget Impact: Preseason practice expenses for student-athletes who replace injured or ill student-athletes.

Impact on S-A's Time: None.

Position Statement(s): None.

History: *July 15, 2008,* Submit; Submitted for consideration.

Report of the Ad Hoc Group's Review of Women's Head-Count and Equivalency Sports – Division I Discussion Document

Introduction and Charge

In July 2002, the Committee on Women's Athletics recommended that the Division I Management Council initiate a review of NCAA Division I financial aid legislation to determine if the current head count and equivalency designations for women's sports were appropriate. (See Attachment A for current designations). In its recommendation, the committee noted that the current designations were made over twenty years ago and since that time, the intercollegiate athletics landscape had changed significantly, including major growth in many women's sports.

In October 2002, the Management Council referred the request to the Academic/ Eligibility/Compliance Cabinet and suggested that ad hoc members from the Committee on Women's Athletics and the Management Council be included in the process. At its June 2003 in-person meeting, the Subcommittee on Financial Aid, along with the ad hoc members, began its review of the referral.

Analysis

Early in its review, the ad hoc group determined that any review of the appropriateness of the head-count and equivalency designations could not be complete without also considering the appropriateness of the maximum institutional grant-in-aid limitations (see Attachment A). Accordingly, this document will present: 1) the ad hoc group's review and initial recommendations regarding the appropriateness of the head-count and equivalency designations for women's sports; 2) the ad hoc group's review and initial recommendations regarding the current maximum institutional grant-in-aid limitations for women's sports; and 3) other discussion items.

I. Review of Head-Count and Equivalency Designations

The group initiated its review by examining the history of financial aid for women's sports and the rationale for the original designations based on the legislative history of the grant-in-aid limitations adopted in 1982 when women's sports were incorporated into the NCAA, 1993 NCAA Gender Equity Task Force Report, as well as anecdotal accounts from consultation with former senior woman administrators active in the women's sports movement at that time. Through this examination, the group observed that:

- Female student-athletes tend to distinguish receipt of a full vs. partial scholarships as more important than perceiving head count vs. equivalency sports as a prestige issue.

- Head count sport designations appear to be based on the desire to control recruiting "bidding wars" and for some sports, tied to potential revenue production.

- Groupings of sports into head count or equivalency categories were based on a variety of reasons, including the need of a sport for team limit by position or event, the particular popularity of the sport in terms of visibility and the consequences of possible stockpiling.

- It appears the rationale for the grant-in-aid limits were based on the size of the prospective student-athlete pool, the inherent risk of injury in the sport, the competitive squad size and/or the particular team scoring method.

- Serious and careful thought was given to the financial impact of the recommended figures on member institutions' ability to meet Title IX proportionality requirements. It is for this reason that some of the women's financial aid limits in comparable sports are slightly higher than for men.

The ad hoc group agreed that similar considerations continue to be appropriate today, along with the importance to consider current growth trends, the higher level of competitive play and associated injury rates, and changes to playing rules that can impact competitive squad sizes of the involved sports.

Relevant Factors and Guidelines for Financial Aid Designations

As a result of its discussions and examination, the ad hoc group identified the following areas as relevant factors to consider during its review and agreed that:

1. Participation levels. Any changes in designations should not adversely impact current participation rates, and ultimately, should increase participation of women in NCAA sports. A review of participation levels will necessarily include factors such as injury rates, appropriate numbers necessary to field a competitive team and consideration of the playing rules of each particular sport.

2. Title IX. The financial aid designations should not adversely impact the ability of institutions to comply with the requirements of Title IX, and ultimately, should assist institutions in that effort.

3. Budgetary impact. The budgetary impact of financial aid designations is a consideration.

4. Recruiting and competitive equity. It is important to recognize the concerns of the membership regarding recruiting and competitive-equity issues (e.g., stockpiling) related to any change to financial aid designations.

5. Recruiting trends. Consideration be given to the possible impact of increased recruitment of foreign student-athletes on scholarship costs and fielding competitive teams (e.g., women's tennis).

Recommendation Regarding Head-Count and Equivalency Designations

Based on its review of the history of the financial aid designations of women's sports, as well as the impact the designations have on many related current issues, at this time, the group recommends that no changes be made. While the overall popularity of particular women's sports may have changed over the years, the important issues that impact women's sports today should be the determining factors when considering changes to the financial aid designations. In reviewing those issues (as listed above), the group has found no compelling reason to alter the current designations.

II. Review of Maximum Institutional Grant-In-Aid Limitations

In reviewing the issue of maximum institutional grant-in-aid limitations, the group considered not only the information sited above, but historical information from the NCAA Committee on Financial Aid and Amateurism in a review of grant-in-aid limits in 1994 and 1995. In addition, the ad hoc group reviewed current NCAA research data related to (see Attachment B):

- The average number of scholarships awarded in women's sports, the average number of female student-athletes receiving aid, the percent of student-athletes on a team that receive some level of athletics related aid, the percent of permissible grants-in-aid awarded – by sport and by subdivision.

- The correlation between increasing available scholarships in female sports and an increase in participants.

- Whether the number of scholarships offered relates to the competitiveness of women's teams.

Relevant Factors and Guidelines for Grants-in-Aid Limits

Based on its review of the above-mentioned data and information, the ad hoc group agreed that increases to the maximum grant-in-aid limitations should increase participation numbers and provide more financial aid opportunities for women to receive grants-in-aid. Changes to the maximum limitations would be appropriate in the following situations:

1. Circumstances in which the data demonstrates a correlation and causal relationship between increases in grant-in-aid limitations and increases in participation for particular sports.

2. Circumstances in which a variety of factors may be present, including:

   a. Situations in which the ratio of the number of student-athletes needed to field a team to the number of grants-in-aid currently permitted appears to be inappropriate;

   b. Situations in which a change to the rules of the game justify a change to the permissible number of grants-in-aid; and

   c. Situations in which the average number of student-athletes receiving athletics grants-in-aid is consistent across subdivisions.

Of the research information presented, the group found the data regarding participation rates and the previous increases in maximum institutional grant-in-aid limitations most compelling. The research data demonstrated that since the increases to grant-in-aid limits to women's sports in 1996, there has been an increase in participation rates. In addition, there was a moderate to strong causal relationship between the increases to maximum grant-in-aid limitations and increased participation in three sports.

Recommendations Regarding Maximum Grant-In-Aid Limitations

1. Increase in grants-in-aid relationship with increased participation. The group found the data regarding participation rates and the previous increases in maximum institutional grant-in-aid limitations to be most compelling. The research data demonstrated that since the increases to grant-in-aid limits to women's sports in 1996, there has been an increase in participation rates. In addition, there was a moderate to strong causal relationship between the increases to maximum grant-in-aid limitations and increased participation in three sports. In the case of gymnastics, cross country/track and field and soccer, the research data shows a correlation between the previous increase in the maximum grant-in-aid limitation and an increase in average squad sizes. Moreover, in the sports of gymnastics and cross country/track and field, the data revealed a strong causal relationship between the increase in grant-in-aid limitations and participation. In soccer, the causal relationship was moderate. The group believes that the data supports increases in these sports as follows:

Sport	Current Maximum Scholarships	Proposed Maximum Scholarships
Gymnastics	12	14
Cross Country/Track and Field	18	20
Soccer	12	14

2. Change in playing rules and consistency in the number of student-athletes receiving aid across subdivisions. The ad hoc group also recommends an increase of one grant-in-aid to the maximum limitation in volleyball based on a recent change to the rules of the game. Specifically, the sport now uses a libero position, a designed back-row player who cannot serve and cannot attack or set inside the attack line. An informal survey of volleyball coaches found that the majority believe that an additional grant-in-aid is warranted based on the addition of the libero position. The proposed increase is also based on the fact that the average number of student-athletes receiving athletics grants-in-aid is consistent across subdivisions for volleyball, an important competitive and recruiting equity consideration in this sport.

Sport	Current Maximum Scholarships	Proposed Maximum Scholarships
Volleyball	12	13

III. Other Discussion Items

Over the course of its review, the ad hoc group discussed other specific issues, but has determined that it does not have sufficient data or membership input to make recommendations at this time. In particular, the group discussed possible changes to the maximum grant-in-aid limitations in the sports of softball, tennis and basketball. Regarding softball, some members of the group believed that an increase in the maximum limitation would result in increased participation. However, the research data indicated that there was no causal relationship between the previous increase to the grant-in-aid limitation and an increase in participation rates. Regarding tennis, the group discussed issues related to recruiting practices and the possible impact on grants-in-aid. Finally, regarding basketball, the group noted the average number of student-athletes receiving athletics grants-in-aid is consistent across subdivisions in women's basketball and that during a seven-year timeframe between 1995-96 through 2001-02 an average of 13.2 grants-in-aid were awarded. The data also indicate a weak relationship between number

of grants-in-aid offered and competitiveness for women's basketball. The ad hoc group also noted that the Women's Basketball Issues Committee is currently reviewing scholarship limits. The group encourages feedback from the Management Council and the membership on these issues.

Timeline

The ad hoc group is pleased to provide the Management Council this update on its progress and welcomes feedback and comments. Based on the comments received at or after the April Management Council meeting, the ad hoc group will continue its examination and seek additional feedback from various constituent groups in an effort to develop legislative proposals for the upcoming 2004-05 legislative cycle. In addition, feedback and comments can be sought from various entities, including member institutions and conferences, as well as coaches associations and athletics administrators associations, through the framework of the legislative cycle. If changes are deemed to be appropriate based upon feedback and comments, amendments to any proposals can be made through the legislative procedures. Attachment C is a timeline summarizing the review of this issue.

ATTACHMENT A

Current Designations and Maximum Institutional Grant-In-Aid Limits for Division I Women's Sports

Head-Count Sports	Maximum Scholarships
Basketball	15
Gymnastics	12
Tennis	8
Volleyball	12

Equivalency Sports	Maximum Scholarships
Archery	5
Badminton	6
Bowling	5
Cross Country only	6
Cross Country/Track and Field	18
Equestrian	15
Fencing	5
Field Hockey	12
Golf	6
Lacrosse	12
Rifle (men, women or mixed)	3.6
Rowing	20
Skiing	7
Soccer	12
Softball	12
Squash	12
Swimming	14
Synchronized Swimming	5
Team Handball	10
Water Polo	8

The National Collegiate Athletic Association
April 5, 2004 LRZ/lmh

ATTACHMENT B

Key Data in the Analysis of Women's Sports Scholarship Limits

Data related to previous increases to grant-in-aid limitations and increases in participation rates.

Most women's sports have seen an increase in Division I sport sponsorship in recent years. The slide below illustrates which sports have had the most dramatic increases and decreases in the number of schools sponsoring them since 1988-89. The group specifically notes the marked increase in the number of soccer and track programs.

Division I Women's Sports Sponsorship Trends 1988-89 – 2001-02

- Greatest net increase:
  - Soccer (188)
  - Golf (96)
  - Indoor Track (61)
  - Rowing (60)
  - Softball (59)
  - Outdoor Track (41)
  - Lacrosse (34)
  - Water Polo (30)
  - Ice Hockey (22)
  - Bowling (20)
  - Cross Country (14)
  - Volleyball (14)
- Greatest net decrease:
  - Gymnastics (-11)
  - Field Hockey (-10)
  - Fencing (-5)
  - Swimming/Diving (-4)
  - Skiing (-3)
  - Badminton (-3)

February 19, 2004

In 1996-97 and 1997-98 (squash only), scholarship limits were increased in several women's sports:

Sport	Limit prior to increase	Limit after increase
Cross country/track and field	16	**18**
Field hockey	11	**12**
Gymnastics	10	**12**
Lacrosse	11	**12**
Soccer	11	**12**
Softball	11	**12**
Squash	5	**12**

Statistical data was collected and analyzed in these sports in an attempt to find a correlation between increasing the number of available scholarships and increases in the number of participants in the years since the changes were made. The following summary slide demonstrates that a correlation and causal relationship was found in some in some sports, but not in others.

Does increasing available scholarships in female sports correlate to more participants?

- Yes
  - Strong relationship
    - Gymnastics
    - Cross Country, Indoor & Outdoor Track
  - Moderate relationship
    - Soccer
- No
  - Field Hockey
  - Lacrosse
  - Softball
  - Squash

February 19, 2004

The following chart provides the participation history since 1995-96, the academic year before the increases were made.

History of Division I Women's Sports Participation

Sport	1995-96	1996-97	1997-98	1998-99	1999-00	2000-01	2001-02
Archery				86	53	46	41
Badminton				35	0	0	0
Basketball	4,232	4,290	4,365	4,437	4,565	4,706	4,743
Bowling				9	202	189	174
Fencing	297	348	325	338	406	408	352
Field Hockey	1,613	1,527	1,642	1,657	1,680	1,687	1,633
Golf	1,383	1,453	1,548	1,665	1,728	1,813	1,855
Gymnastics	1,001	1,018	1,054	1,119	1,112	1,079	1,106
Ice Hockey	235	253	332	378	472	643	604
Lacrosse	1,194	1,366	1,482	1,663	1,832	1,846	1,830
Rifle	73	33	37	141	245	211	172
Rowing	2,494	3,019	3,471	3,933	4,020	4,485	4,484
Skiing	250	195	208	199	203	204	201
Soccer	4,423	5,034	5,522	6,150	6,526	6,905	6,976
Softball	3,631	4,063	4,163	4,431	4,606	4,781	4,780
Squash	106	117	112	119	109	125	101
Swimming/Diving	4,505	4,142	4,124	4,393	4,590	4,608	4,646
Synchronized Swimming	78	63	45	63	63	73	66
Team Handball				0	0	0	0
Tennis	2,744	2,753	2,762	2,899	2,852	2,922	2,869
Indoor Track	6,897	7,229	7,599	8,410	8,790	9,095	9,344
Outdoor Track	8,415	7,661	8,049	8,873	8,915	9,238	9,571
Cross Country	4,304	4,168	4,347	4,759	4,803	4,865	4,989
Volleyball	3,760	3,854	3,985	4,126	4,175	4,250	4,228
Water Polo	202	298	401	460	499	626	649
Average Per Inst.	169.4	172.3	180.4	194.1	195.6	203.2	203.2

Data related to the average number of student-athletes receiving athletics grants-in-aid.

History of the Average Number of Division I Female Student-Athletes Receiving Aid

Sport	1995-96	1996-97	1997-98	1998-99	1999-00	2000-01	2001-02
Archery							
Badminton							
Basketball	13.4	13.5	13.8	13.9	13.7	14.1	14.1
Bowling							
Fencing	5.8	5.1	4.9	5.1	5.8	5.9	6.9
Field Hockey	14.9	15.5	15.7	16.4	15.8	15.9	16.5
Golf	7.5	7.3	7.6	7.6	7.4	7.3	7.2
Gymnastics	9.8	10.9	11.5	12.1	12.7	12.5	12.7
Ice Hockey	7.3	10.0	10.2	13.7	18.4	16.0	19.8
Lacrosse	12.5	12.1	14.2	16.0	15.0	17.0	16.6
Rifle	3.3	3.6	3.6	3.9	4.1	4.0	4.5
Rowing	16.6	16.9	17.9	18.3	20.0	21.4	21.4
Skiing	8.3	10.2	8.6	9.6	9.7	9.5	9.5
Soccer	15.3	15.9	16.9	17.7	18.5	18.9	19.4
Softball	14.0	14.5	15.3	15.8	15.0	15.6	15.9
Squash							
Swimming/Diving	15.6	16.4	16.8	17.4	17.5	17.7	18.2
Synchronized Swimming	7.0	9.7	8.0	8.0	8.7	9.8	11.8
Team Handball							
Tennis	6.6	6.7	6.8	7.1	7.0	6.9	6.9
Indoor Track, Outdoor Track and Cross Country	6.6	18.4	19.4	19.9	20.7	20.4	21.0
Volleyball	10.9	11.1	11.4	11.3	11.3	11.4	11.5
Water Polo			9.2	10.9	11.7	11.2	12.0
Others		12.7	7.4	12.4		15.3	13.4
Average Per Inst.	82.5	93.6	99.4	103.7	105.8	109.3	112.7

History of Average Number of Female Student-Athletes Receiving Aid - Division I-A

Sport	1995-96	1996-97	1997-98	1998-99	1999-00	2000-01	2001-02
Archery							
Badminton							
Basketball	13.6	13.9	14.4	14.2	14.2	14.6	14.4
Bowling							
Fencing	5.5	5.8	4.7	5.3	5.5	6.7	7.6
Field Hockey	15.5	16.7	17.7	17.8	17.7	18.1	18.6
Golf	8.0	7.8	7.9	8.2	8.0	7.9	7.9
Gymnastics	10.1	11.4	12.4	12.6	13.3	13.1	13.0
Ice Hockey			7.0	8.5	17.7	20.0	20.5
Lacrosse	13.9	15.2	18.2	20.1	18.6	21.2	21.9
Rifle	2.3	3.9	4.3	4.4	4.0	4.6	4.8
Rowing	20.5	21.9	23.2	24.7	27.0	26.8	27.4
Skiing		10.8	8.5	11.3	8.7	9.5	11.3
Soccer	16.4	17.1	18.3	18.7	19.8	20.6	21.1
Softball	14.5	15.2	16.5	16.8	15.8	16.4	17.2
Squash							
Swimming/Diving	19.7	20.1	20.0	20.6	21.0	21.8	21.9
Synchronized Swimming	10.0	10.5	9.0	9.5	11.0	13.3	13.0
Team Handball							
Tennis	7.5	7.7	7.8	8.0	8.0	8.0	7.9
Indoor Track, Outdoor Track and Cross Country	21.6	22.8	24.0	24.1	25.3	25.6	25.7
Volleyball	11.5	11.8	12.2	11.9	12.0	12.2	12.4
Water Polo			10.9	14.4	15.1	15.8	15.3
Others		10.3	11.0	40.0	28.6	32.2	36.3
Average per Inst.	98.6	114.2	121.2	127.0	130.6	137.5	143.2

History of Average Number of Female Student-Athletes Receiving Aid - Division I-AA

Sport	1995-96	1996-97	1997-98	1998-99	1999-00	2000-01	2001-02
Archery							
Badminton							
Basketball	13.4	13.4	13.5	13.8	13.5	13.9	13.8
Bowling							
Fencing	9.0	6.0	8.0	7.0	8.0	6.5	6.5
Field Hockey	14.1	14.3	14.4	15.0	14.6	14.2	14.8
Golf	7.2	6.8	7.5	7.4	6.9	6.8	6.6
Gymnastics	9.7	10.3	10.4	11.2	11.9	11.6	12.3
Ice Hockey	10.0	12.0	12.3	21.0	19.0	16.4	19.8
Lacrosse	11.3	9.8	11.3	14.4	13.1	14.6	14.3
Rifle	3.3	3.3	4.3	3.8	4.4	3.8	4.3
Rowing	11.0	12.4	12.1	9.4	9.2	12.6	10.4
Skiing	8.5	10.0	6.0	8.3	11.5	9.3	8.7
Soccer	13.5	14.6	15.0	16.9	16.9	17.5	18.0
Softball	13.7	14.3	14.5	15.4	14.1	15.1	15.1
Squash							
Swimming/Diving	11.9	12.5	13.7	14.6	14.0	14.4	15.0
Synchronized Swimming	4.0	8.0	7.0	5.0	4.0	4.5	8.0
Team Handball							
Tennis	6.2	6.2	6.2	6.7	6.0	6.0	6.4
Indoor Track, Outdoor Track and Cross Country	18.3	17.9	19.4	20.0	20.3	20.4	20.6
Volleyball	10.6	10.9	11.1	11.0	10.7	10.9	11.0
Water Polo			4.0	3.0	4.0	3.0	6.7
Others		6.7	7.4	7.6	7.2	9.8	6.6
Average per Inst.	75.0	83.8	89.5	92.3	94.1	98.4	99.6

History of Average Number of Female Student-Athletes Receiving Aid - Division I-AAA

Sport	1995-96	1996-97	1997-98	1998-99	1999-00	2000-01	2001-02
Archery							
Badminton							
Basketball	13.1	13.1	13.6	13.7	13.4	13.9	14.1
Bowling							
Fencing	5.0	3.7	4.3	4.0	5.7	4.3	5.8
Field Hockey	15.4	15.9	15.4	15.8	15.3	15.6	15.9
Golf	6.6	6.6	6.8	6.7	6.8	6.7	6.7
Gymnastics	8.0	7.7	8.0	9.3	10.7	9.9	11.5
Ice Hockey	2.0	6.0	7.0	11.5		11.3	18.5
Lacrosse	13.1	12.6	16.1	13.9	14.5	17.0	14.9
Rifle	4.0	3.5	2.0	3.3	3.0	2.0	4.3
Rowing	15.0	5.2	11.4	14.0	14.6	13.4	13.1
Skiing	8.0	9.5	12.5	8.7	9.5	9.7	8.0
Soccer	16.1	15.7	17.5	17.1	18.5	18.3	18.6
Softball	13.6	14.0	15.0	14.9	15.3	15.2	15.3
Squash							
Swimming/Diving	11.8	13.3	13.5	13.3	13.7	13.3	14.4
Synchronized Swimming							
Team Handball							
Tennis	5.8	6.2	6.1	6.2	6.8	6.5	6.2
Indoor Track, Outdoor Track and Cross Country	12.5	12.8	12.7	13.7	14.1	13.8	14.8
Volleyball	10.4	10.6	10.7	10.7	10.9	10.9	11.0
Water Polo			5.0	7.0	8.5	8.7	11.7
Others		22.5	4.0	6.7	11.0	8.0	6.0
Average per Inst.	71.4	77.5	82.2	84.8	86.1	87.2	89.8

ATTACHMENT C

NCAA Academic/Eligibility/Compliance Cabinet Subcommittee on Financial Aid
Ad Hoc Group to Review Head Count and Equivalency
Designations of Women's Sports

Timeline for Review of Head Count and Equivalency Designations of Women's Sports

February 2003 in-person meeting.

- Financial aid subcommittee informed of referral. General issues related to the referral were discussed.

April 2003 conference call.

- Reviewed referral, charge and proposed timeline.
- Reviewed legislative history of financial aid designations for women's sports.
- Reviewed information related to the impact of financial aid designations and maximum grant-in-aid limitations on compliance with Title IX.
- Evaluate initial discussions and requests for additional information.

June 2003 in-person meeting.

- Reviewed information regarding participation of women in intercollegiate athletics.
- Reviewed information regarding participation, sponsorship and squad sizes or all sports.
- Reviewed high school athletics participation numbers and trends.
- Reviewed information related to participation and injury rates.

September 2003 in-person meeting.

- Reviewed grant-in-aid information for all sports 2001-2003.
- Reviewed informal survey results from coaches of various women's sports.
- Reviewed 2003-04 Championships Promotional Model.

February 2004 in-person meeting.

- Reviewed data presented by NCAA research staff.
- Developed initial recommendations.
- Determined progress and appropriate timing to seek feedback; identified groups to be included based on this discussion (e.g. coaches associations, other NCAA committees, NACWAA, CCA, etc.).

ATTACHMENT C

March 2004.

- Prepare report for the Management Council with recommendations.

April – May 2004 Management Council meeting and conference calls.

- Present report to Management Council.
- Solicit feedback from Management Council and other appropriate groups.

June 2004 in-person meeting.

- Finalize recommendations, incorporating feedback.
- Present to A/E/C Cabinet for sponsorship of proposals.
- Continued discussion of additional issues.

July 2004 – April 2005.

- Proposals enter the 2004-05 legislative cycle.
- Feedback sought through legislative process.
- Possible amendments/revisions.

NCAA Division I Academics/Eligibility/Compliance Cabinet
Subcommittee on Financial Aid
2007 Financial Aid Workshop
Executive Summary Tracking Chart

Topic: Institutional Aid and Need-Based Aid.

ISSUE	RECOMMENDATION(S)	CATEGORY*	BYLAW(S)	TRACKING/NOTES
Impact of NCAA legislation on student-athletes with a demonstrated financial need.	Determine ways in which institutional need-based aid can be received without counting against team limits.	**L**	15.02.4.1 15.1.2 15.1.3	Issue will be discussed by new Awards, Benefits, Expenses and Financial Aid Cabinet.
	Have equivalencies apply only to student-athletes without need. Recruited student-athletes who have a demonstrated financial need are not subject to equivalency limitations unless they receive athletics aid.	**L**	15.02.3 15.1 15.5.1	
	Eliminate equivalencies. Make all sports head-count sports.	**L**	15.5.2 15.5.3	Issue will be discussed by new Awards, Benefits, Expenses and Financial Aid Cabinet.
	Impact of co-mingling athletics aid and institutional aid: Allow student-athletes to receive one or the other.	**L**	15.02.4.1 15.5.1	
Academic Competitiveness Grant and National Science and Mathematics to Retain Talent Grant (SMART).	Treat similar to other identified government grants (e.g., do not count against individual limits).	**L**	15.1.1 15.2.5	
Mistrust amongst the membership.	Allow financial aid offices to apply "professional judgment" when dealing with issues involving student-athletes/athletics aid. Establish oversight mechanism to prevent abuse (e.g., document and keep on file incidences where "professional judgment" was used for a situation involving a student-athlete/athletics aid).	**L/C/E**		"Wish list" recommendation.

* L = Legislative; C = Communication; E = Education.

Topic: One-Year Period Legislation.

ISSUE	RECOMMENDATION(S)	CATEGORY*	BYLAW(S)	TRACKING/NOTES
Unintended consequences of the period of award legislation.	Identify circumstances where additional exceptions are warranted.	**L**	15.3.3.1 15.3.3.1.1	Proposals 2007-73 and 73-1 adopted.
	Create a legislative exception to allow leftover aid, or newly available aid, to be awarded at midyear to any student-athlete as long as the team and student-athlete remain within team and individual limits.	**L**	15.3.3.1 15.3.3.1.1	
Multi-year athletics scholarships.	Permitting multi-year awards did not initially receive overwhelming support. Some support was given for two-year awards for incoming freshman student-athletes. This would allow a student-athlete to acclimatize and would place increased accountability on a coach to make sound recruiting decisions.	**L**	15.3.3.1	Issue will be discussed by new Awards, Benefits, Expenses and Financial Aid Cabinet.

* L = Legislative; C = Communication; E = Education.

Topic: Processing Countable Aid and Calculation of Room and Board.

ISSUE	RECOMMENDATION(S)	CATEGORY*	BYLAW(S)	TRACKING/NOTES
Frequent mistakes in processing aid for student-athletes.	Simplify the legislation to reduce the processing mistakes (e.g., walk-ons, recruited status, sources of aid and outside aid).	**L**	15.2.2 15.2.6 15.5.1	
	The financial aid community needs to provide insight and expertise to the athletics administrators.	**C**		
	Establish a checks/balances system.	**L/C**		
	Identify best practices related to the calculation of countable aid.	**C/E**		
Policies that meet student-athletes' needs.	Develop a sustainable policy to balance competitive and recruiting equity with what is best for student-athletes.	**L**		
	Request feedback from the financial aid community when developing or presenting proposals.	**C/E**		
State grants.	Identify/recognize discrepancies with how these apply to individual and/or team limits as well as their impact on recruiting equity.	**L/C**	15.02.4.1 15.1.2	
Calculation method for equivalencies (average versus actual).	Allow institutions to calculate equivalencies based on the method used by institutions in calculating equivalencies for the general student body.	**L**	15.5.3.2	

Topic: Processing Countable Aid and Calculation of Room and Board. (Continued)

ISSUE	RECOMMENDATION(S)	CATEGORY*	BYLAW(S)	TRACKING/NOTES
Complexities related to room and board regulations.	Allow institutions to calculate/regulate room and board based on the method used by institutions in calculating equivalencies for the general student body.	**L**	15.2.2	"Wish list" recommendation.
	Allow financial aid offices to apply professional judgment (e.g., allow for some level of tolerance or allowable variances for minimal overages to be permitted without violations).	**L**		"Wish list" recommendation.
	Deregulate. Allow institutions to use institutional discretion to feed student-athletes.	**L**	15.2.2 16.5.2	"Wish list" recommendation.
	Identify areas unduly burdensome on financial aid offices to monitor what is not done for any other students (e.g., meals, training table).	**C**		

* L = Legislative; C = Communication; E = Education.

Topic: Midyear Adjustments, Renewals and Nonrenewals, Hearing Opportunities and Common Violations.

ISSUE	RECOMMENDATION(S)	CATEGORY*	BYLAW(S)	TRACKING/NOTES
Merging NCAA financial aid regulations with state, federal and institutional regulations.	Include the financial aid community to understand the dynamics.	**C/E**		
Timing of notification for renewals/nonrenewals.	Establish an earlier deadline related to the renewal/nonrenewal notification process.	**L**	15.3.5.1	Issue will be discussed by new Awards, Benefits, Expenses and Financial Aid Cabinet.
	Encourage institutions to make decisions sooner.	**C**		

Topic: Midyear Adjustments, Renewals and Nonrenewals, Hearing Opportunities and Common Violations. (Continued)

ISSUE	RECOMMENDATION(S)	CATEGORY*	BYLAW(S)	TRACKING/NOTES
Midyear adjustments.	Deregulate the midyear adjustment legislation (create more opportunities for student-athletes to receive increases during the period of the award or midyear).	**L**	15.3.3.1 15.3.3.1.1 15.3.4.2 15.5.2.3	
	Allow institutions to re-award aid at midyear as long as it remains within team and individual limits.	**L**	15.5.2.3 15.5.5.3.5	
	Allow institutions to provide midyear adjustments for any reason.	**L**	15.3.4.2	
Appeals/hearing opportunity.	Deregulate legislation to allow an institution to use discretion when handling appeals related to financial aid. Most institutions have a very effective process in place for students in general and additional regulations related to student-athletes may not be necessary.	**L**	15.3.2.4 15.3.5.1	Issue will be discussed by new Awards, Benefits, Expenses and Financial Aid Cabinet.
Common violations.	Permit institutions to provide funding for student-athletes to purchase both required and nonrequired course materials and supplies as long as the student-athlete is using the materials for educational purposes.	**L**	15.02.2 15.2 16.3	

* L = Legislative; C = Communication; E = Education.

Topic: Outside Scholarships.

ISSUE	RECOMMENDATION(S)	CATEGORY*	BYLAW(S)	TRACKING/NOTES
Tracking issues and adverse effects of current legislation.	Deregulate outside aid legislation to allow student-athletes, regardless of recruited status, to receive outside awards as long as the award does not restrict the student-athlete's choice of institution.	**L**	15.2.6 15.2.6.4	"Wish list" recommendation. 2007 Regional Rules Seminars: Focal topic of ADV Fin Aid session.
	Eliminate the requirement that outside awards count toward team limits if the student-athlete is recruited.	**L**	15.2.6.4	
	Establish best practices related to categorizing outside awards.	**C/E**		Completed: 2007 Regional Rules Seminars
Communication.	Establish best practices and written procedures related to clear communication between financial aid and athletics department.	**C/E**		Completed: 2007 Regional Rules Seminars

* L = Legislative; C = Communication; E = Education.

Topic: Summer Aid, Student-Athlete Opportunity Fund and Special Assistance Fund.

ISSUE	RECOMMENDATION(S)	CATEGORY*	BYLAW(S)	TRACKING/NOTES
Summer Aid.	Get financial aid office more involved with monitoring the proportionality requirement.	**C**		
	Monitor the use of the student-athlete opportunity fund to assist with funding summer school. Trend appears to be an increase in the use of this fund, especially in football.	**C**		

Topic: Summer Aid, Student-Athlete Opportunity Fund and Special Assistance Fund. (Continued)

ISSUE	RECOMMENDATION(S)	CATEGORY*	BYLAW(S)	TRACKING/NOTES
Communication issues related to use of the student-athlete opportunity and special assistance funds.	More education necessary to address the confusion regarding the permissible uses of the funds.	**C/E**		
	Identify ways to address the lack of communication between athletics and the financial aid office when issues arise related to the use of the student-athlete opportunity fund. Monetary issues should always be reported to the financial aid office.	**C**		
	Establish best practices, including requiring the financial aid office to sign off on the use of the student-athlete opportunity fund.	**C/E**		

* L = Legislative; C = Communication; E = Education.

Topic: Resources and Education.

ISSUE	RECOMMENDATION(S)	CATEGORY*	BYLAW(S)	TRACKING/NOTES
Resources and education for financial aid officers.	Regional Rules Seminar (RRS) attendance.	**E**		2007 & 2008: Financial aid officers co-presented during advanced financial aid session.
	Create a training session for new financial aid officers in conjunction with seminars that covers day-to-day responsibilities and best practices for dealing with student-athletes and athletics aid.	**E**		"Wish list" recommendation. 6/07: Subco suggested the staff offer three sessions (1) NCAA financial aid basics, (2) best practices and (3) financial aid issues.

	Bridge communication gap between the NCAA and the financial aid community. Establish a line of communication for ensuring NCAA financial aid issues and current events are disseminated to financial aid officers.	**C**		6/07: Subco suggested the staff attend NASFAA's national convention and conduct vieoconferences during NASFAA's regional conventions.

Topic: Resources and Education. (Continued)

ISSUE	RECOMMENDATION(S)	CATEGORY*	BYLAW(S)	TRACKING/NOTES
Resources and education for financial aid officers. (Continued)	Encourage institutions to designate a financial aid representative on the NCAA's "institutional permissible caller" list.	**C**		
	Encourage institutions to provide their financial aid offices with access to the NCAA Legislative Services Database for the internet (LSDB*i*).	**C**		
	Designate an NCAA staff member to serve as a liaison to the financial aid community to answer questions and communicate issues (e.g., financial aid liaison program).	**C**		
	Establish a quarterly training session for the financial aid community, especially for new financial aid officers (e.g., Webinar, Internet meeting).	**E**		"Wish list" recommendation.
	Educate the financial aid community on the rationales behind the financial aid legislation to better understand its rationale.	**E**		"Wish list" recommendation. 2007-08: Big East Conference created the Guide to Financial Aid.
Resources and education for parents and student-athletes.	Update the current NCAA Guide for the College-Bound Student-Athlete to include information related to the additional	**E**		

	financial aid regulations applicable to student-athletes.			
	Encourage institutions to establish a financial aid seminar for parents during institution's new-student orientation.	**E**		
	Require institutions to share student-athlete financial aid regulations during the recruiting process.	**E**		

Topic: Resources and Education. (Continued)

ISSUE	RECOMMENDATION(S)	CATEGORY *	BYLAW(S)	TRACKING/NOTES
Resources and education for outside financial aid organizations.	Partner with National Association of Student Financial Aid Administrators (NASFAA) to enhance communication to the financial aid community on athletically related financial aid issues.	**C**		
	Establish a liaison program and designate an NCAA staff member to be responsible for communication of NCAA financial aid issues to the NASFAA and the regional associations.	**C**		
	Use the NASFAA's daily and weekly newsletters to communicate NCAA financial aid issues.	**C/E**		
Lack of recognition or standing of financial aid community by the NCAA.	Establish an NCAA sanctioned financial aid advisory group comprised of tenured financial aid officers to increase the involvement of the financial aid community with NCAA financial aid issues. This advisory group would be involved with commenting on financial aid interpretations and provide the financial aid officer perspective on proposed legislation.	**L/C**	21.7.6.2.1	"Wish list" recommendation.

	Increase voting privileges for financial aid officers serving on the Subcommittee on Financial Aid.	**L**	21.7.6.2.1	Financial aid officers will continue to serve in new cabinet as ex officio members.
Concerns with or enhancements to currently existing resources.	NCAA should partner with financial aid and student software-systems providers to effectively incorporate NCAA components into the programs and to better co-mingle NCAA financial aid applications with institutional financial aid applications.	**C**		

* L = Legislative; C = Communication; E = Education.

Topic: Compliance Assistant for the Internet (CA*i*).

ISSUE	RECOMMENDATION(S)	CATEGORY*	BYLAW(S)	TRACKING/ NOTES
Enhancements to the software.	Establish best practices for the use of CA*i* that is used as a "help" feature. Provide examples of how other institutions use CA*i*. Include examples or resource pages that demonstrate the uses.			
	Lack of compatibility: Co-mingle CA*i* with other institutional programs (e.g., Banner, People Soft).			"Wish list" recommendation.
	Program CA*i* to perform self updates in an effort to save time.			
	Program CA*i* for individual use (e.g., login codes) so several institutional staff members can log in individually.			
	Tailor system to accommodate the various room and board rates/plans on campus (e.g., on/off campus, average, weighted average, highest dorm price, etc). Allow for designated categories based on where student-athletes actually live and the meal plan they receive.			

* L = Legislative; C = Communication; E = Education.

Topic: Foreign Student-Athlete Issues.

ISSUE	RECOMMENDATION(S)	CATEGORY*	BYLAW(S)	TRACKING/ NOTES
Medical insurance fees.	Permit institutions to factor fees for medical insurance policies for both domestic and international student-athletes into the grant-in-aid definition.	**L**	15.2.1.2 16.4.1 16.4.2	Possible resolution due to White Case settlement.

* L = Legislative; C = Communication; E = Education.

[NOTE: This information was provided to the NCAA Division I Championships/ Competition Cabinet in June 2007 and is being provided as background for our discussion. An update to this information is provided at the end of the document.]

NCAA Division I Championships/Competition Cabinet Awards/Travel Policies/Bylaw 16 Subcommittee

Review of Issues Related to NCAA Bylaw 16.8.1.2.1 (Departure/Return Expense Restrictions)

Purpose.

The purpose of this document is to provide an overview of NCAA Division I Management Council Administrative Review Subcommittee cases decided at the NCAA membership services staff level from June 19, 2006, through January 31, 2007, that involved requests to waive the departure/return expense legislation. There were a total of 20 cases decided at the staff level during this period. This report will provide background for the current guidelines and recommendations for consideration by the subcommittee.

Background.

In April 2006, the Management Council defeated a request from the Administrative Review Subcommittee to sponsor a legislative proposal which would have allowed an institution to leave prior to the 48-hour or return after the 36-hour restrictions in the departure/return legislation if the institution could document all of its eligible student-athletes would not miss additional scheduled class time.

To provide guidance to the Division I membership, the Administrative Review Subcommittee reviewed the comments from the April 2006 meeting and noted that the concerns expressed in opposition of the proposal were additional time away from campus or study time and consistency in the availability of institutional funds for traveling in excess of the 48-hour/36-hour period. As such, the Administrative Review Subcommittee determined that, based on the defeat of the requested proposal, the review standards for waivers of NCAA Bylaw 16.8.1.2.1 (departure/return expense restrictions) seeking to travel in excess of the 48-hour/36-hour period would focus on the following factors:

1. Minimal to no missed class time.

2. Minimal to no missed campus or study time, even if scheduled class time is not being missed in excess of the 48-hour/36-hour period.

3. If the institution is asserting the early departure involves cost savings (e.g., objective documentation of cheaper flights in comparison to permissible flight times), the institution will also need to indicate how much scheduled class time will be missed and how much campus or study time will be missed.

4. If the institution is asserting the early departure involves limited availability of flights (e.g., objective documentation of flights available in comparison with permissible flight times), the institution will also need to indicate how much scheduled class time will be missed and how much campus or study time will be missed.

The above-referenced guidelines were released June 19, 2006, and institutional and conference personnel were encouraged to educate their administrative staffs, coaching staffs and travel resources regarding the current legislation and make efforts not to miss additional class or campus time. While noting that the Administrative Review Subcommittee waiver process would continue to remain available for these types of waivers, the Administrative Review Subcommittee emphasized that institutions would need to demonstrate extenuating or extraordinary circumstances whenever submitting a request to have its student-athletes depart prior to the 48-hour period or return after the 36-hour period, especially when missed class or campus time is involved.

Recommendations for Consideration.

The staff would like the NCAA Division I Championships/Competition Cabinet Awards/Travel Policies/Bylaw 16 Subcommittee to consider the following options as potential legislative proposals for the 2007-08 legislative cycle.

1. One alternative would be to propose legislation to permit weekend departures (Friday through Sunday) to exceed the 48-hour restriction if no additional scheduled class time is missed. Although this alternative does not address missed campus or study time, it is easy for institutions to administer and provides institutions flexibility to determine an appropriate departure time for their student-athletes when no additional scheduled class time is missed.

2. A second alternative would be to propose legislation to permit, once per sport per academic year, a team to depart up to 12 hours outside of the 48-hour restriction (i.e., an institution could depart campus up to 60 hours before its scheduled competition) for a circumstance involving documented limited availability of flights or cost savings and no additional missed class time. Allowing a one-time exception for each sport each academic year would eliminate the need for most waivers of the 48-hour restriction and would minimize potential abuses provided by permitting an exception to be used multiple times by a sport during an academic year. As with the first alternative, this alternative does not address missed campus or study time but is easy for institutions to administer and provides institutions flexibility to determine an appropriate departure time for their student-athletes when no additional scheduled class time is missed.

3. A third alternative would be to propose legislation to permit institutions, when traveling by air, to toll the 48-hour departure time from the flight's departure time, as opposed to when the team leaves campus. This alternative is easy for institutions to administer and

would eliminate the need for institutions to assert that its distance from the airport, time for security screenings or other air travel-related circumstances as reasons for requesting a waiver of the 48-hour restriction. However, this alternative could result in additional missed scheduled class time if not appropriately monitored by the institution.

4. A fourth alternative would be to propose legislation to permit an institution's chancellor or president to waive the 48-hour restriction. An institution using this exception would be required to maintain a record of the waiver on file in the chancellor or president's office. To provide the chancellor or president some administrative flexibility, the authority to grant the waiver could be designated to another administrator, provided the administrator was not an athletics department staff member and was not the faculty athletics representative. This proposal provides flexibility to institutions and, through the involvement of the chancellor or president, encourages institutions to remain sensitive to student-athletes' missed class time and missed campus or study time. However, the application of such legislation could vary widely from campus to campus.

5. A fifth alternative would be to propose legislation to permit a team to depart more than 48-hours before the start of its conference tournament. A legislative exception already exists for teams participating in NCAA championship events, national governing body championships in emerging sports or licensed postseason football games. Adding a conference tournament exception would permit institutions the same flexibility they currently receive for other postseason events. [NOTE: The Administrative Review Subcommittee has requested that the Management Council sponsor a proposal consistent with this option.]

Update for September 2008 NCAA Division I Awards, Benefits, Expenses and Financial Cabinet Meeting

Number of Waivers

Between February 1, 2007, and July 1, 2008, a total of 70 waiver requests related to Bylaw 16.8.1.2.1 have been reviewed by the NCAA staff and Administrative Review Subcommittee. Sixty waivers have been granted (or granted with conditions), eight have been denied and two others are awaiting decisions.

Conference Championships

As a result of the adoption of NCAA Proposal No. 2007-80, beginning August 1, 2008, conference offices will have the authority to review requests for relief from the departure restrictions for conference championships.

Postseason Opportunities

At its June 2008 meeting, the Championships/Competition Cabinet Awards/Travel Policies/ Bylaw 16 Subcommittee declined to recommend expanding the current exception to the 48-hour departure rule for NCAA championships and licensed bowl games to all postseason opportunities, noting that a waiver opportunity through the NCAA remains available.

Executive Summary of the
Presidential Task Force on the Future of Division I Intercollegiate Athletics
Student-Athlete Well-Being Subcommittee

The Presidential Task Force on the Future of Division I Intercollegiate Athletics Student-Athlete Well-Being Subcommittee endorses the principle that intercollegiate athletics programs should be conducted in a manner designed to protect and enhance the physical and educational well-being of student-athletes.

Member institutions shall establish and maintain an environment in which student-athlete activities are conducted as an integral part of the student-athletes' educational experience.

Over the course of the last nine months, the subcommittee identified a number of areas for review to enhance student-athlete well-being. Twenty "white papers" (which are located on the NCAA Web site at

http://www1.ncaa.org/membership/membership_svcs/d1_future_ptf/well-being/index.html)

were developed and circulated for comment. The subcommittee stopped short, however, of initiating new legislation or directing specific outcomes. Rather, the focus has been to make sure the appropriate areas have been identified for further analysis and review. Based on the feedback received to date, the subcommittee believes it has been successful.

Accordingly, the subcommittee has outlined a five-year student-athlete well-being agenda for consideration in Division I. This agenda includes items that may require legislative and policy changes, as well as best practices. The subcommittee seeks the endorsement of the Division I Presidential Task Force for the agenda outlined.

Broadly stated, the subcommittee believes the environment on campus must reflect our un-wavering commitment to the well-being of all student-athletes.

1. Our commitment to the "student" requires that expectations and opportunities for full participation in campus academic life be encouraged and facilitated. Enhancing the integration of the student-athlete on campus needs to be considered in a number of areas:

    a. Encouraging the academic success of all students, through:

        - Continued support for the academic reform measures underway.

        - Renewed emphasis on support for "at-risk" student-athletes through assessment, advising and academic life-skills support.

    b. Accessing higher education through receipt of institutional and athletics financial aid by:

        - Examining Division I financial aid practices, including multi-year scholarships, financial aid hearings and a further review as to whether there is a gap between grant-in-aid and cost of attendance given additional sources of financial support.

c. Assimilating students into campus life through:

- Appropriate and balanced time commitments to sport, with emphasis on out-of-season activities.
- Meaningful enforcement of in-season practice time restrictions.

2. Our commitment to the "athlete" requires that we take appropriate measures to protect his or her health and provide for a safe environment for participation at the highest competitive levels the Association offers.

a. Continued focus on health and safety issues, including increased use of Injury Surveillance System for data-driven decisions.

b. Increased acceptance and enhancement of life skills programming.

c. Assessment of competition opportunities by reviewing, for example:

- whether student-athletes should be permitted five seasons of competition.

d. Review eligibility rules (and other rules) to determine appropriateness of sport-specific legislation in some areas.

A timeline has been identified to allow for the collection and analysis of data as needed and to encourage a thoughtful review of the Division I membership.

NCAA PRESIDENTIAL TASK FORCE ON THE FUTURE OF DIVISION I INTERCOLLEGIATE ATHLETICS
STUDENT-ATHLETE WELL-BEING SUBCOMMITTEE

Multi-Year Athletics Scholarships

Issue.

At its June 2005 meeting, the NCAA Presidential Task Force on the Future of Division I Intercollegiate Athletics Student-Athlete Well-Being Subcommittee identified the issue of multi year athletics scholarships as an issue warranting further discussion. Current NCAA rules limit an institution to award athletically related financial aid to a student-athlete to not exceed one academic year.

History.

1900 Official athletics grants-in-aid existed, though they were sparse and generally condemned by conferences and institutions. Penn State College offered athletics grants-in-aid by action of the Board of Trustees.

1922 The NCAA unanimously adopted a 10-point resolution addressing eligibility concerns among member institutions, which included no payment to students for athletics participation.

1934 The NCAA adopted a code of "fair practices" regarding recruiting and subsidizing athletes, which included opposition to offering athletics grants-in-aid.

1935 The Southeastern Conference became the first major conference to make legal the granting of athletics scholarships.

1948 The NCAA passed the "Sanity Code" to eliminate athletics scholarships. Institutional aid to athletes based on athletics ability to any student could not exceed tuition and fees.

1951 The NCAA dropped the financial aid provision of the "Sanity Code." Athletics scholarships were now permissible and were awarded over a period of years.

1952 The Ivy League voted to disallow athletics scholarships.

1961 The Big Ten Conference agreed to full athletics scholarships.

1973 The NCAA voted for a one-year limit to financial aid awards, which would be renewable though scholarship committees. Previously, scholarships were awarded for a four-year period and could not be revoked once awarded.

Coalition on Intercollegiate Athletics (COIA).

- The Coalition on Intercollegiate Athletics (COIA) was formed in 2002 and is an alliance of faculty senates at NCAA Division I-A institutions. It seeks to become a faculty voice in the national debate over the future of college sports.

- The group developed a white-paper document containing dozens of best practices on faculty governance and oversight of athletics plus several legislative proposals geared toward academic reform.

- Recommends the following policy to be implemented through NCAA bylaws: Athletics scholarships shall be awarded on a year-by-year basis with the presumption that they will be renewed up to four times for a total award of five years, or until graduation, whichever comes first, for students who are in good academic standing, conform to campus codes for student behavior, conform to the athletics department's standards of conduct, and adhere to team rules. If a student graduates in fewer than five years, an institution may renew the scholarship if the student has athletics eligibility remaining. Institutions shall establish criteria and a mechanism for revoking a scholarship. The final authority for revoking a scholarship shall rest with the institution's chancellor or president. A student awarded an athletics scholarship who is no longer participating in athletics will be counted against the NCAA maximum number of awards for that sport, unless the scholarship is revoked.

California Senate Bill 193.

- The bill, introduced by Senator Kevin Murray, sought to prohibit California universities and colleges from membership in any organization, including the NCAA, whose rules restrict student-athlete grants-in-aid, health insurance coverage, agent relationships and transfers to other institutions.

The Drake Group (TDG).

- The Drake Group is a national organization of collegiate faculty and others who are committed to academic integrity in collegiate athletics.

- Developed seven proposals to address current issues in intercollegiate athletics.

- Proposed to replace one-year renewable scholarships with need-based financial aid or with multi year athletics scholarships that extend to graduation (five-year maximum).

The Knight Commission.

- The Knight Foundation Commission on Intercollegiate Athletics was formed in October 1989 in response to more than a decade of highly visible scandals in college sports. The goal

of the commission was to recommend a reformed agenda that emphasized academic values in an arena where commercialization of college sports often overshadowed the underlying goals of higher education.

- The commission presented a series of recommendations in a 1991 report, and A Call to Action in 2001 and will continue to monitor and report on progress in increasing presidential control and academic and financial integrity of athletics programs.

- In its 1991 report, the commission listed the creation of multi year scholarships offered for a five-year period as a reform measure it strongly supports.

NCAA Division I Student-Athlete Advisory Committee (SAAC).

- At its July 2003 meeting, the NCAA Division I Student-Athlete Advisory Committee (SAAC) discussed a referral from the NCAA Division I Academics/Eligibility/Compliance Cabinet's financial aid subcommittee regarding multi year athletics scholarships. The SAAC agreed that the current legislation specifying that an institution may not award athletically related aid in excess of one academic year was appropriate and should be maintained.

Discussion.

There currently are no NCAA proposals to revise legislation permitting annually renewed grants-in-aid. The idea put forth by COIA would change NCAA bylaws and permit multi year scholarships renewable on a year-to-year basis. The student-athlete would expect the scholarship to continue each year and would only lose it after a decision by the institution's top academic officer instead of an athletics department official. Proponents of extending the term of athletics scholarships beyond one year assert that the current one year grants-in-aid are designed to ensure the viability of athletics programs by giving coaches leeway to shift scholarship support away from under performing or under committed athletes. Institutions are not required to notify students of their continuing status until July 1; some students do lose their financial support. To ensure that education remains the priority, renewal of athletics scholarships should be unrelated to athletics performance or athletics scholarships to be replaced with educational grants awarded on the basis of financial need. The dependence of continued financial academics support on the decisions of athletics department diminishes the incentive for athletes to place academics first and heightens the perception that scholarships are simply "pay for play." The idea proposed that scholarships be awarded for five years, the time athletes normally require for graduation, presumably to underscore that scholarships are given to students, rather than athletes. The idea of a five-year scholarship reflects the fact that college scholarships are fundamentally academic, even if the merit basis is sports skill. Under the current structure of athletics scholarships, athletes may be legitimately concerned that their continued access to education depends on sports success. This can create a conflict of incentives that may lead to an emphasis on athletics at the cost of academics. This would send a clear message that universities are committed to athletes to the point of graduation.

Associated Legislative Proposals Currently Under Consideration.

- Proposal No. 2003-24 Financial Aid – Terms and Conditions – Period of Award and Proposal No. 2003-24-1 Period of Award – Exception (require an institution to award athletics scholarships for one full academic year, rather than on a term-by-term basis).

Possible Options.

- Award athletics scholarships on a year by year basis and that the award will be renewed up to four times for a total of five years, or until undergraduate graduation, whichever is earlier. Further, to specify that the renewal shall also apply to a student-athlete who graduates in fewer than five years provided the student-athlete has eligibility remaining.

Current Data/Information Available via the NCAA Research Staff.

- Graduation rates of student-athletes compared to that of the general student-body.
- Research the number of athletics scholarships that are not renewed each term.

Data/Information that could be Requested from the NCAA Research Staff.

- What is the impact on the total population of student-athletes?
- What is the financial cost to institutions to award multi year scholarships to student-athletes?
- What is the scholarship structure for the general student body?
- What effects will multi year scholarships have with the idea of five years of eligibility?

EXCERPT FROM THE SEPTEMBER 2007
NCAA DIVISION I ACADEMICS/ELIGIBILITY/COMPLIANCE CABINET
SUBCOMMITTEE ON FINANCIAL AID REPORT REGARDING
MULTI-YEAR ATHLETICS AWARDS/PRESUMPTION OF RENEWAL CONCEPT

Presidential Task Force on the Future of Division I Intercollegiate Athletics – Recommendations Related to Multi-year Athletics Awards/Presumption of Renewal Concept. The subcommittee reviewed two recommendations that were identified by the Presidential Task Force related to financial aid: (1) multi-year athletics awards/presumption of renewal; and (2) hearing opportunities. The subcommittee will study these recommendations over the next 12 to 18 months.

The subcommittee requested the staff gather feedback from the Collegiate Commissioners Association Compliance Administrators and the NCAA Division I Student-Athlete Advisory Committee regarding the following recommendations related to multi-year athletics awards/presumption of renewal:

- Recommendation A: Currently, Division I legislation limits an award of athletically-related financial aid to one year, unless specific exceptions are met. Should Division I legislation allow multi-year awards (e.g., two-year, four-year or five-year awards)? Should Division I legislation presume renewal of athletically-related financial aid, provided the student-athlete satisfies certain criteria?

NCAA PRESIDENTIAL TASK FORCE ON THE FUTURE OF DIVISION I INTERCOLLEGIATE ATHLETICS STUDENT-ATHLETE WELL-BEING SUBCOMMITTEE

Financial Aid – Athletics Aid is Automatic and Stronger Appeals Procedures to Increase Accountability on the Coach to Remove an Athletics Scholarship from a Student-Athlete

Issue.

At its June 2005 meeting, the NCAA Presidential Task Force on the Future of Division I Intercollegiate Athletics Student-Athlete Well-Being Subcommittee identified the issues of the presumption that athletics aid is automatic for four years provided the student-athlete meets team and institutional requirements and stronger appeals procedures to increase accountability, burden of proof on the coach to remove an athletics scholarship from a student-athlete as issues warranting further discussion.

History.

1972 Official athletics grants-in-aid existed and reductions or cancellations of athletics scholarships were first permitted.

1973 Hearing opportunities for nonrenewals of athletics scholarships were first legislated by the NCAA.

1973 The NCAA voted for a one-year limit to financial aid awards, which would be renewable though scholarship committees. Previously, scholarships were awarded for a four-year period and could not be revoked once awarded.

Current Legislation.

NCAA legislation permits the nonrenewal or reduction of athletics scholarships for any reason. Institutional financial aid based, in any degree, on athletics ability may be reduced or canceled during the period of the award if the recipient:

1. Renders himself or herself ineligible for intercollegiate competition;

2. Fraudulently misrepresents any information on an application, letter of intent or financial aid agreement (Bylaw 15.3.4.1.1);

3. Engages in serious misconduct warranting substantial disciplinary penalty (Bylaw 15.3.4.1.2);

4. Voluntarily withdraws from a sport at any time for personal reasons; however, the recipient's financial aid may not be awarded to another student-athlete in the academic term in which the aid was reduced or cancelled.

Institutional financial aid, based in any degree, on athletics ability may not be increased, decreased or canceled during the period of its award:

1. On the basis of a student-athlete's athletics ability, performance or contribution to a team's success;

2. Because of an injury that prevents the recipient from participating in athletics; or

3. For any other athletics reason.

The renewal of institutional financial aid, based in any degree, on athletics ability shall be made on or before July 1 prior to the academic year in which it is to be effective. The institution shall promptly notify in writing each student-athlete who received an award the previous academic year and who has eligibility remaining in the sport in which financial aid was awarded the previous academic year (under Bylaw 14.2), whether the grant has been renewed or not renewed for the ensuing academic year. Notification of financial aid renewals and nonrenewals must come from the institution's regular financial aid authority and not from the institution's athletics department. If the institution decides to deny a student-athlete's request to permit any other institution to contact the student-athlete about transferring, the institution shall inform the student-athlete in writing that he or she, on request, shall be provided a hearing conducted by an institutional entity or committee outside of the athletics department (e.g., the office of student affairs; office of the dean of students; or a committee composed of the faculty athletics representative, student-athletes and nonathletics faculty/staff members). The institution shall have established reasonable procedures for promptly hearing such a request.

Discussion.

Many institutions assert that athletics scholarships are not entitlements. They are initially awarded based on athletics ability and on the condition that the recipient satisfy academic eligibility requirements and participate in the sport for the entire award period. After fulfilling the award period, an athletics scholarship may be renewed, nonrenewed or reduced based on the recommendation of the head coach. It is consistent and reasonable to expect that student-athletes be required to meet minimum academic athletics standards before athletics aid is renewed for subsequent years. On occasions where a student-athlete's scholarship is not renewed or is reduced, the accountability and burden should be placed on the coach to remove the scholarship from the student-athlete and there should be stronger institutional appeals procedures in place. Further, strengthening the financial aid appeals procedure is in line with the NCAA Strategic Plan Objective 2.1 to increase the application of fair, safe and flexible regulations that favor student-athletes.

Under the current one-year renewable structure of athletics scholarships, athletes may be legitimately concerned that their continued access to education depends on sports success. This can create a conflict of incentives that may lead to an emphasis on athletics at a cost to academics. The Coalition on Intercollegiate Athletics (COIA) recommends that NCAA

standards require that there be a presumption of scholarship renewal for a period of five years or until graduation and that scholarships be revocable only by the president or chancellor. As long as coaches and athletics directors can use factors related to athletics to determine whether financial aid will be renewed, athletes are under considerable pressure to make sports their main priority. To ensure that education remains the priority, renewal of athletics scholarships should be unrelated to athletics performance or athletics scholarships themselves replaced with educational grants awarded on the basis of financial need. In either case, universities should be committed to athletes as students whose value to the university exceeds their role in athletics.

In 1967, the nonrescindable provision to scholarships was altered by an amendment that "allowed universities to immediately terminate scholarships for perceived insubordination or failure to take sports seriously," and in 1973, the four-year scholarship was reduced to an annually renewable grant that gave coaches control over the athlete's academic opportunities. Although the NCAA bylaws have been revised and amended to give the appearance that the coach cannot interfere in the faculty's attempt to educate athletes, the institution of the athletics scholarships ensures that those rules are unenforceable in practice.

The subcommittee should consider a number of reform proposals including eliminating the ability of coaches to unilaterally pull scholarships once they are awarded and moving to a more need-based system of financial aid for athletes. No athlete should feel the need to short change academic commitment in order to retain scholarship support. Scholarship support should never be terminated for a student who has demonstrated effort in athletics, who wishes to continue in athletics and who has met standards of academic and personal conduct.
According to NCAA rules, termination of a scholarship is subject to student appeal to a board independent of the athletics department. The specific composition of appeal boards, procedures, and criteria for adjudication are left very vague and it seems likely that any institution where abuse might be endemic would be unlikely to have procedures strong enough to curb them. Another direction that could be taken in addition to lengthening the term of scholarships might be to strengthen the NCAA rules of appeal. However, lengthening scholarship terms is a more fundamental way to address the problem because it provides students a stronger standing guarantee that they will not be unduly penalized for decisions they make that may increase their academic efforts at some expense to extracurricular athletics commitment.

Associated Legislative Proposals From Previous Cycles.

- Proposal No. 1997-42 Financial Aid – Reduction or Cancellation (permit an institution to cancel or reduce a student-athlete's athletics scholarship when he or she misses an excessive number of classes without an excuse). (Defeated)

- Proposal No. 2005-44 Financial Aid – Terms and Conditions of Awarding Institutional Financial Aid – Renewals and Nonrenewals – Institutional Obligations (require an institution

to send notification of renewal, nonrenewal or reduction of athletics aid to a student-athlete within two weeks of the last day of finals or within one week of the end of the championship segment, whichever is later. This would provide student-athletes earlier notice whether their athletics aid is being renewed for the next academic year. The current rule states that a student-athlete must be notified of the athletics aid status by July 1). (Defeated)

- Proposal No. 2005-45 Financial Aid – Terms and Conditioning of Awarding Institutional Financial Aid – Hearing Opportunity (require an institution to provide written notification to a student-athlete regarding the reduction or cancellation of aid during the period of the award or the nonrenewal of aid for the following academic year must include a copy of the institution's established policies and procedures for conducting the required hearing, including the deadline by which a student-athlete must request such a hearing. The current rule only requires institutions to "established reasonable procedures for promptly hearing" a request to appeal a change in the financial aid award). (Adopted)

Associated Legislative Proposal Currently Under Consideration.

- Proposal No. 2003-24 Financial Aid – Terms and Conditions – Period of Award and Proposal No. 2003-24-1 Period of Award – Exception (require an institution to award athletics scholarships for one full academic year rather than on a term-by-term basis).

Current Data/Information Available via the NCAA Research Staff.

- Research on the number of athletics scholarships that are not renewed each term.

Data/Information that could be Requested from the NCAA Research Staff.

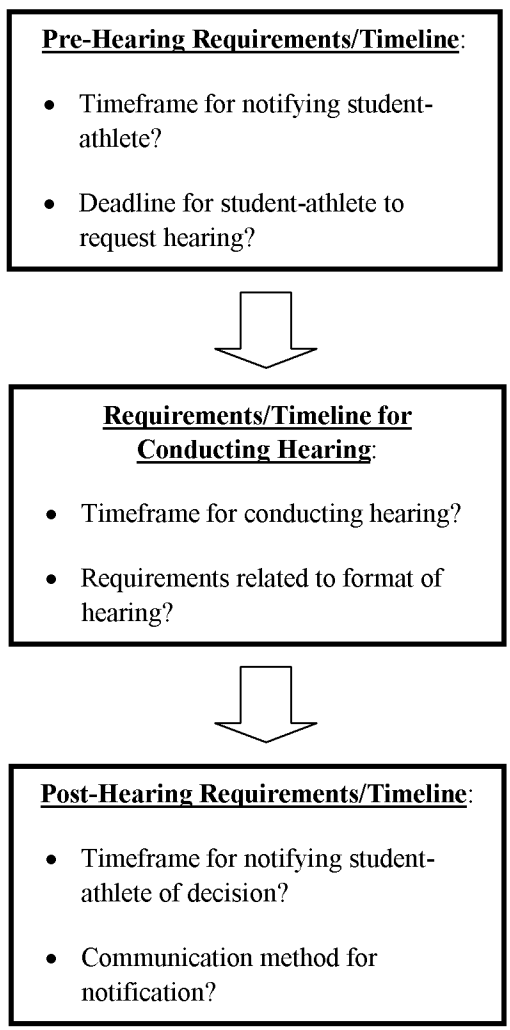
- The success rate of financial aid hearings for student-athletes who have had their aid reduced or cancelled.

- What is the impact on the total population of student-athletes?

- What is the scholarship reduction and cancellation policy for the general student body?

NCAA Division I Academics/Eligibility/Compliance Cabinet Subcommittee on Financial Aid Legislative Models: Hearing Opportunities

Hearing Opportunity Process Diagram:



Pre-Hearing Requirements/Timeline:

1. Questions/points to consider:

   a. Should there be a specific timeframe established for when an institution must notify the student-athlete of a hearing opportunity (e.g., once the institution makes the final determination that the student-athlete's aid will be reduced/canceled, should the institution be required to inform the student-athlete of the opportunity for a hearing within a minimum amount of time after the decision is made)?

      - What is the appropriate communication method? In writing (e.g., mail, e-mail, express mail)? Verbally (e.g., over phone or in-person)?

   b. How easy would it be to implement this change on campus? What monitoring issues must be addressed?

   c. What is a reasonable deadline to establish for a student-athlete to request a hearing? Should this be left to institutional discretion?

2. Possible models:

   - Institution's athletics department must notify the student-athlete of the opportunity for a hearing in writing (electronic transmission is permissible) within 10 business days of the decision to reduce/cancel student-athlete's aid. (Notification must be postmarked on or before the 10th business day).

Requirements/Timeline for Conducting Hearing:

1. Questions/points to consider:

   a. Should an institution be required to conduct the hearing within a minimum specified period of time once the student-athlete makes such a request?

      - How easy would it be to implement this change on campus? What difficulties could be encountered if an institution is unable to conduct the hearing within the prescribed period of time?

b. Should the legislation specify the format for how institutions should conduct the hearing? Currently, institutions may conduct hearings via conference call, an in-person meeting (with or without the student-athlete present) or in writing? Should this be left to institutional discretion?

(1) To what extent should the student-athlete be involved? Should student-athletes be provided the opportunity to verbally present to the hearing committee his or her reasons for why he or she feel the aid should not be reduced/canceled? Is a written statement sufficient?

(2) How easy would it be to implement this change on campus? What difficulties could be encountered if an institution is required to conduct the hearing in person and involve the student-athlete?

(3) If the hearing is conducted in person, at what point should the student-athlete be excused to allow the hearing committee to deliberate?

(4) Should the student-athlete be provided the option of having an individual present during the hearing to provide counsel (e.g., parent, lawyer)?

2. Possible models:

a. Institution must conduct the hearing within 30 business days of the student-athlete making the request.

b. An institution must provide an in-person hearing when specifically requested by the student-athlete. Otherwise, the institution must make arrangements to permit the student-athlete to present his or her reasons for appeal (e.g., written letter from the student-athlete, in-person meeting, conference call).

c. All hearings must be conducted via either an in-person meeting or teleconference call and arrangements must be made to accommodate the student-athlete's schedule so he or she has the opportunity to participate.

Post-Hearing Requirements/Timeline.

1. Questions/points to consider:

a. What is an appropriate time period for notifying the student-athlete of the hearing decision?

- How easy would it be to implement this change on campus? What monitoring issues must be addressed?

b. What is the appropriate communication method? In writing (e.g., mail, e-mail, express mail)? Verbally (e.g., over phone or in-person)?

- How does an institution ensure the decision notification is received by the student-athlete? What if the student-athlete's address changes? To what extent must an institution go to locate a student-athlete who has moved?

2. Possible models:

a. Institution's athletics department must notify the student-athlete in writing (electronic transmission is permissible) within 10 business days of the hearing decision. (Notification must be postmarked on or before the 10th business day.)

b. Institution's athletics department must notify the student-athlete in writing (electronic transmission is permissible) <u>and</u> verbally within five business days of the hearing decision. (Notification must be postmarked on or before the fifth business day.)

NOTE: Business days, as opposed to calendar days, accommodate institutional vacation periods (e.g., days which the financial aid office and/or athletics department may be off/closed) and alleviate the expectation that an institution must carry out hearing opportunities even during times in which normal business is not being conducted.

Excerpts from Recent NCAA Division I Academics/Eligibility/Compliance Cabinet Subcommittee on Financial Aid Meeting Reports Regarding Financial Aid Hearing Opportunity Legislation

1. *EXCERPT FROM SEPTEMBER 2007 MEETING REPORT.*

- **Presidential Task Force on the Future of Division I Intercollegiate Athletics – Recommendations Related to Hearing Opportunity Legislation.** The subcommittee reviewed two recommendations that were identified by the Presidential Task Force related to financial aid: (1) multi-year athletics awards/presumption of renewal; and (2) hearing opportunities. The subcommittee will study these recommendations over the next 12 to 18 months.

  The subcommittee requested the staff gather feedback from the Collegiate Commissioners Association Compliance Administrators and the Division I Student-Athlete Advisory Committee regarding the following recommendations related to the hearing opportunity requirements:

  (1) Recommendation A: Strengthening hearing opportunity procedures: Identify standard policies and procedures for athletically related financial aid hearings when a student-athlete's athletically related financial aid is reduced or canceled. Currently, institutional procedures determine how financial aid hearings for student-athletes' athletically related aid are conducted. Should NCAA legislation specify how a hearing should be conducted for student-athletes? Should institutions be required to provide a hearing within a specified timeframe (e.g., 30 days, 45 days)?

  (2) Recommendation B: Modify timeframe for notification to student-athletes: Establish earlier timeframe for the notification to a student-athlete if athletically related financial aid will be reduced or cancelled for the ensuing academic year. Currently, any student-athlete who received athletics aid during the previous academic year and has eligibility remaining is required to be notified, in writing, of the status of his or her aid by July 1. Should this timeframe be adjusted to provide earlier notice to student-athletes?

2. *EXCERPT FROM FEBRUARY 2008 MEETING REPORT.*

- **Presidential Task Force on the Future of Division I Intercollegiate Athletics – Recommendations Related to Financial Aid Hearing Opportunity Legislation**. During the September 2007 meeting, the subcommittee requested the staff gather feedback from the Division I Student-Athlete Advisory Committee (SAAC) and the Division I Collegiate Commissioners Association Compliance Administrators (CCACA) regarding the financial aid hearing opportunity requirements. Feedback from both groups was reviewed and staff was asked to develop legislative models associated with that feedback. Specifically, the timeframe in which institutions notify

the student-athlete of the hearing committee's decision and ensuring the student-athlete actually receives notification of the outcome were discussed. The subcommittee requested the staff have SAAC review the models during its March/April teleconference call. The subcommittee will review this issue again in June and anticipates forwarding a legislative proposal to the cabinet for consideration at its June meeting.

3. EXCERPT FROM JUNE 2008 MEETING REPORT.

- **NCAA Presidential Task Force on the Future of Division I Intercollegiate Athletics – Recommendations Related to Financial Aid Hearing Opportunity Legislation**. The cabinet received a report from the Subcommittee on Financial Aid regarding its continued review of recommendations related to the financial aid hearing opportunity legislation. The Subcommittee on Financial Aid reviewed feedback from the NCAA Division I Student-Athlete Advisory Committee and determined that no legislative changes were necessary at this time. The Subcommittee on Financial Aid directed the NCAA staff to develop best practices related to the application of the financial aid hearing opportunity legislation. Specifically, the Subcommittee on Financial Aid provided the NCAA staff with specific concepts for institutions to consider when reviewing financial aid hearing opportunity policies and procedures (e.g., prior to the hearing, during the hearing and after the hearing).

NCAA Division I Academics/Eligibility/Compliance Cabinet
Subcommittee on Financial Aid Legislative Models: Hearing Opportunities, Points to Consider and Suggested Best Practices

NCAA Bylaw 15.3.2.4 - Hearing Opportunity.

"The institution's regular financial aid authority shall notify the student-athlete in writing of the opportunity for a hearing when institutional financial aid based in any degree on athletics ability is to be reduced or canceled during the period of the award or is reduced or not renewed for the following academic year. The institution shall have established reasonable procedures for promptly hearing such a request and shall not delegate the responsibility for conducting the hearing to the university's athletics department or its faculty athletics committee. The written notification of the opportunity for a hearing shall include a copy of the institution's established policies and procedures for conducting the required hearing, including the deadline by which a student-athlete must request such a hearing."

Bylaw 15.3.2.4 - Points to Consider:

1. Prior to taking action to reduce or cancel the aid, the student-athlete must be provided with the following documents:

    a. Written notice of the reduction or cancellation;

    b. Written notice of an opportunity for a hearing; and

    c. Copy of the institution's established policies and procedures for conducting the required hearing, including the deadline by which the hearing must be requested.

2. Institutions may conduct hearings via conference call, in-person meeting (with or without the student-athlete present) or in writing. The format of the hearing depends on institutional policy.

Bylaw 15.3.5.1 – Renewals and Nonrenewals - Institutional Obligation.

"The renewal of institutional financial aid based in any degree on athletics ability shall be made on or before July 1 prior to the academic year in which it is to be effective. The institution shall promptly notify in writing each student-athlete who received an award the previous academic year and who has eligibility remaining in the sport in which financial aid was awarded the previous academic year (under Bylaw 14.2) whether the grant has been renewed or not renewed for the ensuing academic year. Notification of financial aid renewals and nonrenewals must come from the institution's regular financial aid authority and not from the institution's athletics department."

Bylaw 15.3.5.1 - Points to consider:

1. Institutions may choose to renew or not renew for any reason once the period of the award has concluded.

2. Requirements for renewals/nonrenewals only apply to athletically related aid.

3. The July 1 deadline applies to the date the notification must be postmarked, not actually received.

4. Electronically transmitted notification (e.g., e-mail) is permissible.

Suggested Best Practices:

The following information related to financial aid hearing opportunities (Bylaws 15.3.2.4 and 15.3.5.1) is intended to serve as **suggested** processes and procedures. Institutions are not required per NCAA legislation to conduct hearings in accordance with these suggested practices.

1. Suggestions for who should be involved:

    a. Financial aid office.

    b. Financial aid hearing/appeals committee.

    c. Athletics department.

    d. Coach.

    e. Student-athlete.

    f. Advocate for the student-athlete (e.g., parent, lawyer).

    g. Legal counsel office.

2. Suggestions for what should be in writing/documented:

a. Specific roles of financial aid, athletics department, hearing committee, student-athlete, coach and legal counsel.

b. Process for drafting and revising financial aid agreements and individuals who should be involved (e.g., legal counsel).

c. Specific steps of hearing process (e.g., submission of request, process and format for conducting the hearing, process for issuing the decision) including specific deadlines for each step in the process, who may be involved in the process and identify how and when information will be communicated to coaches and student-athletes.

d. Process used during the academic year versus the summer.

e. Protocol for addressing situations when it is alleged that the normal procedures for a hearing were not followed.

3. Suggestions for correspondence and forms that should be used throughout the process:

a. Forms for documenting an increase or decrease in athletics aid.

b. Template notifying student-athlete of renewal/nonrenewal.

c. Template notifying student-athlete of hearing opportunity.

d. Template notifying coach that student-athlete has requested a hearing.

e. Template notifying student-athlete of hearing decision.

f. Form for student-athlete to submit appeal request.

g. Template for notifying student-athlete of details related to the conduct of the hearing (e.g., time, location, what parties may be present).

h. Form for voluntary withdrawals.

i. Tracking form to verify deadlines and process for hearing have been followed.

j. Template notifying student-athlete of hearing committee decision.

4. Suggestions for communication and education:

   a. Educate student-athletes, coaches, appeals committee and legal counsel staff, at least annually, on the following topics:

      (1) NCAA legislation governing increases and reductions and/or cancellations of athletics aid;

      (2) NCAA legislation governing renewals and nonrenewals of athletics aid;

      (3) NCAA legislation governing hearing opportunities; and

      (4) Institutional policies and procedures governing hearing opportunities.

   b. Include policies and procedures on athletics Web site and in student-athlete handbook.

   c. Ensure a process is in place to obtain proper contact information for student-athlete.

   d. Communicate and share ideas with other institutions.

5. Suggestions related to notifying the student-athlete of the reduction and/or cancellation:

   a. Whenever possible, the coach and/or a member of the athletics department should meet in-person to discuss the decision to reduce or cancel athletics aid with the student-athlete (before sending the written notification).

   b. Provide the student-athlete, in writing, a specific deadline by which he or she must request a hearing.

   c. If using an electronic delivery (e.g., e-mail) to notify the student-athlete of the reduction and/or cancellation, have a follow-up process in place to ensure the student-athlete received the notice.

6. Suggestions related to the format and process for conducting the hearing:

   a. Whenever possible, allow the student-athlete the option to request an in-person hearing.

b. Consider allowing the student-athlete to have an advocate represent him or her during the process (e.g., parent, lawyer). Institutions are encouraged to refer to its financial aid appeals policies and procedures to determine if students in general are permitted to have representation from an advocate.

7. Suggestions related to actions and/or steps after the hearing has been conducted:

a. Have a specific timeframe for when your institution must notify the student-athlete of the decision after the hearing has been conducted. Specify the format in which the decision will be delivered (e.g., standard mail, e-mail).

b. If using electronic notification (e.g., e-mail) to inform the student-athlete of the hearing decision, have a follow-up process in place to ensure the student-athlete received the decision.

c. If hearing is denied, be proactive and share options with the student-athlete (e.g., other sources of aid, transfer).

DISCLAIMER: The information contained in this document is provided as a reference to member institutions and does not constitute binding advice on compliance with NCAA rules and bylaws. Any inquiries related to NCAA rules and bylaws should be directed to the NCAA membership services staff. The most up-to-date information regarding NCAA Division I rules, bylaws and procedures can be found by accessing the information on the Legislative Services Database (LSDBi).

Maximum Institutional Grant-In-Aid Limitations by Sport

15.5.2.1 - Maximum Limits. An institution shall be limited in any academic year to the total number of counters (head count) in each of the following sports: *(Revised: 1/10/91 effective 8/1/92)*

Women's Gymnastics 12

Women's Volleyball 12 *(Revised: 1/9/96 effective 8/1/96)*

Women's Tennis 8

15.5.3.1.1 - Men's Sports. There shall be a limit on the value (equivalency) of financial aid awards (per Bylaw 15.02.4.1) that an institution may provide in any academic year to counters in the following men's sports: *(Revised: 1/10/91, 1/10/92, 1/16/93 effective 8/1/93, 4/26/07 effective 8/1/08, 8/9/07 effective 8/1/08)*

Cross Country/Track and Field	12.6	Skiing	6.3
Fencing	4.5	Soccer	9.9
Golf	4.5	Swimming and Diving	9.9
Gymnastics	6.3	Tennis	4.5
Lacrosse	12.6	Volleyball	4.5
Rifle	3.6	Water Polo	4.5
		Wrestling	9.9

15.5.3.1.2 - Women's Sports. There shall be a limit on the value (equivalency) of financial aid awards (per Bylaw 15.02.4.1) that an institution may provide in any academic year to counters in the following women's sports: *(Revised: 1/10/91, 1/10/92 effective 8/1/94, 1/16/93, 1/11/94 effective 9/1/94)*

Archery	5	Rowing	20
Badminton *(Revised: 1/9/96 effective 8/1/96)*	6	Rugby *(Adopted: 4/28/05 effective 8/1/05*	12
Bowling	5	Skiing	7
Cross Country/Track and Field *(Revised: 1/9/96 effective 8/1/96)*	18	Soccer *(Revised: 1/9/96 effective 8/1/96, 4/28/05 effective 8/1/06)*	14
Equestrian *(Revised: 11/01/01 effective 8/1/02)*	15	Softball *(Revised: 1/9/96 effective 8/1/96)*	12
Fencing	5	Squash *(Revised: 1/9/96 effective 8/1/96)*	12
Field Hockey *(Revised: 1/9/96 effective 8/1/96)*	12	Swimming and Diving *(Revised: 1/9/96 effective 8/1/96)*	14

Golf	6	Synchronized Swimming	5
Lacrosse *(Revised: 1/9/96 effective 8/1/96)*	12	Team Handball *(Revised: 1/9/96 effective 8/1/96)*	10
		Water Polo	8

15.5.4 - Baseball Limitations. During the 2008-09 academic year, there shall be a limit of 11.7 on the value of financial aid awards (equivalencies) to counters and a limit of 30 on the total number of counters, in baseball at each institution. During the 2009-10 academic year and thereafter, there shall be an annual limit of 11.7 on the value of financial aid awards (equivalencies) to counters and an annual limit of 27 on the total number of counters in baseball at each institution. *(Adopted: 4/26/07 effective 8/1/08)*

15.5.4.1 - Minimum Equivalency Value. An institution shall provide each counter athletically related and other countable financial aid that is equal to or greater than 25 percent of an equivalency. *(Adopted: 4/26/07 effective 8/1/08 for student-athletes who initially enroll full time at any four-year collegiate institution on or after 8/1/08, Revised: 8/9/07)*

15.5.5.1 - Men's Basketball. There shall be a limit of 13 on the total number of counters in men's basketball at each institution. *(Adopted: 1/10/91 effective 8/1/92; Revised: 4/27/00 effective 8/1/01, 11/01/01, 4/29/04 effective 8/1/04)*

15.5.5.2 - Women's Basketball. There shall be an annual limit of 15 on the total number of counters in women's basketball at each institution. *(Adopted: 1/10/91 effective 8/1/92; Revised: 1/10/92 effective 8/1/93, 1/16/93)*

15.5.6.1 - Bowl Subdivision Football. There shall be an annual limit of 25 on the number of initial counters (per Bylaw 15.02.3.1) and an annual limit of 85 on the total number of counters (including initial counters) in football at each institution. *(Revised: 1/10/91 effective 8/1/92, 12/15/06)*

15.5.6.2 - Championship Subdivision Football. There shall be an annual limit of 30 on the number of initial counters (per Bylaw 15.02.3.1), an annual limit of 63 on the value of financial aid awards (equivalencies) to counters, and an annual limit of 85 on the total number of counters (including initial counters) in football at each football championship subdivision institution. *(Revised: 1/10/91 effective 8/1/92, 12/15/06)*

15.5.7 - Ice Hockey Limitations. There shall be an annual limit of 18 on the value of financial aid awards (equivalencies) to counters and an annual limit of 30 on the total number of counters in ice hockey at each institution. *(Adopted: 1/16/93 effective 8/1/93)*

EXCERPT FROM THE JUNE 2008 NCAA DIVISION I ACADEMICS/ELIGIBILITY/COMPLIANCE CABINET REPORT REGARDING THE PROVISION OF ATHLETICS AID TO NONQUALIFIERS

Discussion Related to Providing Athletically Related Financial Aid to Nonqualifiers. The cabinet received a report from the Subcommittee on Initial-Eligibility Issues regarding the concept of providing athletically related financial aid to nonqualifiers in their first academic year in residence. The Subcommittee on Initial-Eligibility Issues forwarded this concept to the Academics Cabinet and the NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet. The Subcommittee on Initial-Eligibility Issues discussed potential rationale to support the concept, including the advantages of providing nonqualifiers earlier access to member institutions, reduced reliance on two-year institutions as an alternative and increased institutional accountability through the NCAA Division I Academic Performance Program (APP), which may encourage institutions to provide aid only to those individuals who are likely to be academically successful at the institution. Other factors to consider include possible increased administrative and financial burdens, the potential effect on institutions or conferences that have rules that preclude or limit the participation of nonqualifiers, current maximum grant-in-aid limits and the well-being of student-athletes who are underprepared for the rigors and expectations of a four-year institution.

Recent History of Award Limitations

Purpose

The purpose of this document is to provide background information to the NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet related to the award value limitations in order to determine whether the cabinet would like to prioritize the issue for its 2008-09 meeting cycle. Please refer to Supplement No. 1 of the full cabinet materials to reference the current limits on the value of awards.

Background

During the 2003-04 legislative cycle, the membership adopted NCAA Proposal No. 2003-106 [Attachment] to increase the value limits placed on participation, postseason and special achievement awards. The sponsor's provided a historical look at previous changes to the limits within the chart in the proposal. The values established in Proposal No. 2003-106 have been in effect since August 1, 2004, and some have questioned whether it is appropriate to raise those value limits given natural inflation and the rising cost of gold. For demonstration purposes, the following chart compares the dollar values of 2004 with 2008 dollars for the current award limits.

2004	2008
$80	$92.67
$175	$202.71
$325	$376.47
$350	$405.43
$415	$480.72

Issues to Consider

Has your institution/institutions within your conference been challenged to obtain worthy awards within these limits?

While the price of gold may have increased, given the state of the economy, is now the appropriate time to study increasing these limits?

If it is appropriate to discuss further whether the limits should be increased, what additional information would the cabinet wish to review to assist in its discussion?

ATTACHMENT
SUPPLEMENT NO. 13

Proposal Number: 2003-106

Title: AWARDS AND BENEFITS -- MAXIMUM VALUE OF AWARDS

Intent: To increase the awards limitations as specified.

Bylaws: Amend 16.1.4 and Figures 16-1, 16-2 and 16-3, pages 218 and 232-234, as follows:

[Note: This proposal is presented in nontraditional format. In order to assist the membership in following the proposed changes, it is being presented as a chart.]

	Current Dollar Limitation	**Date Legislation Last Modified**	**Recommended New Amount**
ANNUAL PARTICIPATION AWARDS			
Underclassman Awards	$150	1996	**$175**
Senior Awards	$300	1996	**$325**
POSTSEASON AND BOWLS			
Participation in postseason conference championship contest or tournament	$300	1996	**$325**
Participation in postseason NCAA championship contest or tournament	$300 (institution) NCAA - no limit	1996 (institution)	**$325**
Participation in all-star game or postseason bowl game	$300	1992	**$350**
Participation in other established meets, tournaments and featured individual competition	$300	1992	**$350**
CHAMPIONSHIP AWARDS			
National championship conducted by the NCAA	$300	1985	**$415**
National championship not conducted by the NCAA	$300	1985	**$415**

Conference championship - regular season	$300	1996	**$325**
Conference championship - postseason	$300	1996	**$325**
SPECIAL ACHIEVEMENT AWARDS"			
Special attainments or contributions to team's season	$150	1996	**$175**
Most valuable player - special event	$300	1996	**$325**
Most valuable player - bowl game or all-star contest	$300	1992	**$350**
Established regional/national recognition awards	$300	1996	**$325**
Specialized performance	$75	1996	**$80**
Hometown Award	$75	1996	**$80**"

Source: NCAA Division I Board of Directors [Management Council (Championships/Competition Cabinet) (Academics/Eligibility/Compliance Cabinet) (Subcommittee on Agents and Amateurism) (Mountain West Conference)].

Effective Date: August 01, 2004

Category: Amendment

Topical Area: Awards, Benefits and Expenses

Rationale: The revised awards limits adjust for inflation since the last time specific awards were modified. Due to inflation, it is becoming increasingly difficult to purchase the same or similar types of awards from year to year. This proposal will allow institutions to purchase the same or similar awards for its student-athletes and still be within the specified NCAA limitations.

Budget Impact: There could be some budget impact; however, the institutions could elect to not increase the amounts spent on awards each year. This proposal gives institutions some flexibility in spending on awards.

Impact on S-A's Time: None.

Position Statement(s)

Academics/Eligibility/Compliance Cabinet: The cabinet supports Proposal No. 2003-106 and agrees with the sponsoring conference's rationale.

Championships/Competition Cabinet: The cabinet supports Proposal No. 2003-106. The cabinet based its recommendation on feedback from its Awards/Squad Sizes Subcommittee.

History

Aug 07, 2003 Submit ; Submitted for consideration.

Sep 12, 2003 Academics/Eligibility/Compliance Cabinet , Recommends Approval ; [For 36, against 1] See position statement above.

Sep 18, 2003 Championships/Competition Cabinet , Recommends Approval ; See position statement above.

Jan 11, 2004 Mgmt Council 1st Review , Approved ; Approved and agreed to request that the Board use its authority to adopt the proposal as noncontroversial legislation. (Unanimous Voice Vote)

Jan 12, 2004 Board Consideration , Adopted ; (Unanimous Voice Vote)

Jan 12, 2004 Adopted, Override Period ; Start of Override Period

Mar 11, 2004 Adopted, Override Period ; End of Override Period

Mar 11, 2004 Adopted ; Adopted - Final