A G E N D A

National Collegiate Athletic Association

Division I Awards, Benefits, Expenses and Financial Aid Cabinet

Los Angeles Marriott Downtown
Los Angeles, California

February 5-6, 2009

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

2. Approval of minutes from September 17-19 2008, meeting. [Supplement No. 1] (Calhoun) **[Action anticipated.]**

   Background: *The cabinet will need to approve the minutes from its last meeting as distributed September 24, 2008.*

3. NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet Policies and Procedures Manual. [Supplement No. 2] (Calhoun) [**No Action anticipated**.]

   Background: *The cabinet approved the Policies and Procedures Manual at its September meeting and the staff has added Figure 15-1 from the NCAA Division I Manual as Appendix g. Additionally, an updated committee member conflict of interest policy is now in Section 5.*

4. Report from the October 2008 and January 2009 governance meetings. (Beth DeBauche) [**No action anticipated**.]

   Background: *NCAA staff will provide an update on the activities from the October 2008 and January 2009 governance meetings.*

5. 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 latest activities.*

6. Review of activity on the 2008-09 legislative proposals reviewed by the cabinet in September 2008. (Kris Richardson) [**No action anticipated**.]

Background: *The staff will review the actions taken on proposals for which the cabinet provided comment at its September 2008 meeting. If requested by the governance structure, the cabinet will provide further comments on proposals remaining in the legislative cycle.*

7. Review of information provided by the NCAA Committee on Competitive Safeguards and Medical Aspects of Sport related to nutritional supplements. [Supplement No. 3] (Calhoun/Brad Hostetter) [**Action anticipated**.]

   Background: *The Committee on Competitive Safeguards and Medical Aspects of Sport is engaging this cabinet and the NCAA Division I Championships/Sports Management Cabinet, to which it reports, in a philosophical review of the current state of the use of nutritional supplements. The cabinet is being asked to consider assisting in the discussions surrounding the issues and potential solutions with the Committee on Competitive Safeguards and Medical Aspects of Sport and Championships/Sports Management Cabinet.*

8. Review of issues related to midyear enrollees and the National Letter of Intent. [Supplement No. 4] (Richardson) [**Action Anticipated**.]

   Background: *This item will highlight recent discussions related to the application of NCAA financial aid legislation to prospects who enrollee at midyear.*

9. Review of noncontroversial legislative recommendation from the NCAA Research Committee. [Supplement No. 5] (Hostetter) [**Action Anticipated**.]

   Background: *The NCAA Research Committee is requesting noncontroversial legislation to ease the burden on an institution that would like to use student-athletes in its research. The recommendation will go to the NCAA Division I Administration Cabinet; however, since it is an NCAA Bylaw 16 issue, this cabinet has been requested to discuss the concept and submit comments to the Administration Cabinet. An excerpt from the committee report is included in Supplement No. 5.*

10. Discussion on cabinet's priorities.

    a. Current financial aid model.

       (1) Case study review. [Supplement No. 6] (Richardson)

(2) Discussion on timeline for the cabinet's review of the current financial aid model. [Supplement No. 7] (Calhoun)

(3) Review of data collected by cabinet members. (Calhoun)

(4) Identification of issues. (Calhoun)

b. Financial aid hearings. [Supplement No. 8] (Calhoun)

Background: *The cabinet will decide whether it would prefer to handle the issues related to this topic that were discussed in September 2008 through "best practices" or through legislation. If it is decided that legislation is preferred, the cabinet will discuss whether it is prepared to recommend legislation at this point or if it should be a part of a larger package of potential proposals on the current financial aid model. If it is decided that best practices is the preferred option, the cabinet will discuss a communication strategy for the best practices.*

c. Outreach to financial aid community. [Supplement No. 9] (Calhoun)

Background: *The cabinet will discuss its strategic plan for the outreach efforts it would like to undertake.*

11. Update on staff initiatives identified by cabinet in September 2008. (Vanessa Fuchs and Richardson) **[No action anticipated.]**

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

13. Future meeting dates and sites.

a. June 10-11, 2009; Indianapolis, Indiana; and

b. September 17-18, 2009; Indianapolis, Indiana.

14. Other business.

15. Adjournment.

REPORT OF THE NCAA DIVISION I AWARDS, BENEFITS, EXPENSES AND FINANCIAL AID CABINET

The NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet submits this report from its September 18-19, 2008, in-person meeting in Indianapolis, Indiana. [Note: All votes were unanimous voice votes unless otherwise indicated.]

***ACTION ITEMS*.**

1. Legislative Items.

- **None.**

2. Nonlegislative Items.

- **None.**

***INFORMATIONAL ITEMS*.**

1. Legislative Informational Items.

a. Comments on Proposals in the 2008-09 Legislative Cycle Referred to the Awards, Benefits, Expenses and Financial Aid Cabinet. [Reference Awards, Benefits, Expenses and Financial Aid Cabinet Supplement No. 5] The cabinet reviewed Division I legislative proposals assigned to it for review that will be considered by the Division I membership as part of the 2008-09 legislative cycle and offered the following comments:

(1) NCAA Proposal No. 2008-14 -- Recruiting -- Definitions and Applications -- Prospective Student-Athlete -- Enrollment and Attendance in Summer Classes Prior to Initial Full-Time Enrollment. The cabinet agreed to support Proposal No. 2008-14 as written, which would specify that an individual shall no longer be considered a prospective student-athlete for purposes of the contact limitations in NCAA 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. The cabinet agrees with the sponsor's rationale for the proposal. (18-1-0)

(2) Proposal No. 2008-15 -- Recruiting -- Definitions and Applications -- Prospective Student-Athlete -- Institutional Orientation Session. The

cabinet agreed to oppose Proposal No. 2008-15, which would specify that a prospective student-athlete who has signed a National Letter of Intent (NLI) [or, for an institution that does not use the NLI in a particular sport or for a prospective student-athlete who is not eligible to sign an NLI (e.g., four-year college transfer), the institution's written offer of admission and/or financial aid] and has reported to a required institutional orientation session within 14 calendar days prior to the opening day of classes of a regular academic year term shall not be subject to the contact restrictions in Bylaw 13 and shall be considered a student-athlete for purposes of Bylaw 16 as of the opening day of the required orientation. The cabinet recommends the sponsor modify the proposal to specify that a recruited prospective student-athlete who has reported to a required institutional orientation session within 14 calendar days prior to the opening day of classes of a regular academic year term shall not be subject to the contact restrictions in Bylaw 13 and shall be considered a student-athlete for purposes of Bylaw 16 as of the opening day of the required orientation. The cabinet agreed that all recruited prospective student-athletes should benefit from the same services and benefits during this period. It was also noted that the NCAA definition of a recruited prospective student-athlete should be used. The cabinet would support the proposal if modified. Further, in the event the sponsor does not accept the cabinet's recommended modification, the cabinet will sponsor an alternative proposal.

(3) Proposal No. 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. The cabinet agreed to oppose Proposal No. 2008-25, which would 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. The cabinet recommends the sponsor modify the proposal 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 a written offer of athletically related financial aid. The cabinet is

concerned that requiring the amateurism certification questionnaire be completed prior to an official visit is cumbersome and could result in a delay of the visit. It was noted that despite adequate planning, many official visits are arranged or changed at the last minute due to schedule changes or other complications. The cabinet agreed the appropriate timing for the completion of the amateurism certification questionnaire is prior to issuing a written offer of athletically related financial aid. The cabinet agreed that this timing may address the concerns related to late registrations by prospective student-athletes currently experienced by the Eligibility Center, while still supplying institutions with important amateurism information before financial aid commitments are made. The cabinet would support the proposal if modified. Further, in the event the sponsor does not accept the cabinet's recommended modification, the cabinet will sponsor an alternative proposal. Finally, the cabinet recommends further clarification be provided regarding what is meant by "complete" the amateurism certification questionnaire. (16-3-0)

(4) Proposal No. 2008-28 -- Recruiting -- Financial Aid Agreements -- Offers of Aid Before July 1 Following Junior Year -- Women's Lacrosse. The cabinet took no position on Proposal No. 2008-28, which would, in women's lacrosse, 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. The cabinet applauded the leadership displayed by the National Women's Lacrosse Coaches Association on this issue and supports the concept. However, the cabinet encourages the NCAA Division I Legislative Council to table the proposal until the NCAA Division I Recruiting and Athletics Personnel Issues Cabinet can review the issue of early offers of financial aid. Finally, the cabinet was supportive of a broader discussion on this issue for potential solutions applicable to all sports. (18-0-1)

(5) Proposal No. 2008-40 -- Financial Aid -- Maximum Institutional Grant-in-Aid Limitations by Sport -- Women's Volleyball. The cabinet took no position on Proposal No. 2008-40, which would, in women's volleyball, increase the maximum institutional grant-in-aid limitation from 12 to 13. The cabinet requests the Legislative Council table this legislation to provide time for the cabinet to conduct a broader examination of

maximum grant-in-aid limitations for all sports. [See Informational Item No. 2-h below.]

(6) Proposal No. 2008-41 -- Financial Aid -- Maximum Institutional Grant-in-Aid Limitations by Sport -- Baseball. The cabinet took no position on Proposal No. 2008-41, which would, in baseball, increase the annual limit on the value of financial aid awards (equivalencies) to counters from 11.7 to 14. The cabinet requests the Legislative Council table this legislation to provide time for the cabinet to conduct a broader examination of maximum grant-in-aid limitations for all sports. [See Informational Item No. 2-h below.]

(7) Proposal No. 2008-42 -- Awards, Benefits and Expenses -- Complimentary Admissions and Ticket Benefits -- Postseason Events. The cabinet agreed to support Proposal No. 2008-42 as written, which would 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. The cabinet agrees with the sponsor's rationale for the proposal. (14-5-0)

(8) Proposal No. 2008-43 -- Awards, Benefits and Expenses -- Housing and Meals -- Nutritional Supplements -- Fruit, Nuts and Bagels. The cabinet took no position on Proposal No. 2008-43, which would 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. The cabinet is supportive of a broader review of nutritional supplements and whole foods by the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports (CSMAS). The cabinet recommends the Legislative Council table this proposal until CSMAS can complete this review. (17-0-2)

(9) Proposal No. 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. The cabinet agreed to support Proposal No. 2008-44 as written, which would 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. The cabinet recommends that the sponsor clarify which expenses (e.g., transportation, meals, lodging) may be provided by the institution beyond the 36-hour period and whether the student-athlete must remain in the locale of the championship event or postseason football game in order to receive these expenses. (17-1-1)

(9) Proposal No. 2008-52 -- Playing and Practice Seasons -- Football -- Preseason Practice -- Limit on Number of Participants – Replacement of Student-Athlete Due to Injury or Illness. The cabinet agreed to support Proposal No. 2008-52 as written, which would, in football, 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. (18-0-1)

b. Other Legislative Comments.

- None.

2. Nonlegislative Informational Items.

a. Overview of Bylaws 15 (Financial Aid) and 16 (Awards and Benefits). [Reference Awards, Benefits, Expenses and Financial Aid Cabinet Supplement No. 1] The cabinet received rules education from the staff regarding the financial aid and awards and benefits legislation.

b. Orientation to New Division I Governance Structure. [Reference Awards, Benefits, Expenses and Financial Aid Cabinet Supplement No. 2] The NCAA governance staff presented the cabinet members with a broad overview of the new Division I governance structure, which highlighted the goals and objectives behind restructuring along with a review of the functions of the various cabinets and Councils. The cabinet was reminded of its responsibility for overseeing and evaluating the new governance structure. The members discussed the structure at length paying particular attention to how the various governance bodies will communicate with one another to ensure a more coordinated Division I agenda.

The members also discussed the importance of communicating with all 31 multisport conferences.

c. Approval of the NCAA Division I Awards, Benefits, Expenses and Financial Aid Policies and Operating Procedures. [Reference Awards, Benefits, Expenses and Financial Aid Cabinet Supplement No. 3] The policies and operating procedures were approved as amended. The cabinet directed the staff to include Figure 15-1 from the NCAA Division I Manual as an appendix to the document. The cabinet also agreed to establish a five member Administrative Committee and nominees will be submitted to the staff immediately following the September meeting. The duties of the Administrative Committee are outlined in the cabinet's policies and operating procedures manual.

d. Update from the NCAA Division I Communications and Coordination Committee. The cabinet was informed by the chair that enhanced communication is intended to be one of the hallmarks of the new Division I governance structure. To assist with the flow of communication between governance groups, the Communications and Coordination Committee, composed of the chairs of the cabinets and the Councils, has been established. This committee is charged with coordinating consideration of issues and legislative concepts between the various Division I governance bodies to facilitate a more cohesive approach to managing the Division I agenda.

e. Report from the August 2008 NCAA Division I Leadership Council Meeting. The cabinet learned that the NCAA Division I Board of Directors has identified four primary issues as being appropriate for Leadership Council examination over the course of the next year, and that the Leadership Council, with the help of the cabinets, will be asked to develop suggested recommendations. The four assignments given to the Leadership Council are:

(1) To recommend initiatives that will enhance the level of diversity in the Division I governance structure.

(2) To assess the impact of membership migration and develop reasonable philosophical expectations and legislative requirements that should be adhered to by all institutions desiring to transition to or remain in Division I. The staff noted that this review may include the review of the financial aid commitment necessary to be a Division I member.

(3) Following review by the Board of Directors, to offer recommendations concerning the report of the Task Force on Commercial Activity in Intercollegiate Athletics.

(4) To discuss appropriate strategies to consider certain Division I amateurism issues and manage consideration of these issues.

e. **NCAA Controlling Goals.** The staff reviewed the three controlling goals that are shaping the work of the NCAA national office over the next three to five years.

f. **Update on the White Case Settlement.** [Reference Awards, Benefits, Expenses and Financial Aid Cabinet Supplement No. 4] The cabinet received a summary from the NCAA general counsel office on the White Case settlement. The cabinet was offered the opportunity to discuss and ask questions regarding the provisions of the settlement. The cabinet was informed that as part of the settlement, the group has been asked to review the concept of multiyear athletics aid.

g. **Review of Recent Initiatives Undertaken in Previous Governance Structure.**

(1) Bylaw 15 (Financial Aid). [Reference Awards, Benefits, Expenses and Financial Aid Cabinet Supplement Nos. 6 and 7] The cabinet received an overview of the following financial aid initiatives undertaken in the previous governance structure:

(a) Ad hoc study of women's head count and equivalency sports and maximum grant-in-aid limitations;

(b) February 2007 Financial Aid Workshop; and

(c) The Guide to Financial Aid (created by the Big East Conference). The cabinet encouraged the Big East Conference to explore ways to use technology to disseminate the good information in its Guide to Financial Aid.

(2) Bylaw 16 (Awards and Benefits). [Reference Awards, Benefits, Expenses and Financial Aid Cabinet Supplement No. 8] The cabinet received an overview of past discussions related to rules regarding departure/return expense restrictions and agreed to place this item on the June 2009 agenda for further discussion.

h. Identification of Future Agenda Items and Determination of Priorities.

(1) Cabinet's List of Priority Items. The cabinet identified the following priority topics to address and noted that data collection will be necessary to fully examine each of these issues:

(a) Examination of maximum grant-in-aid limitations. [Reference Awards, Benefits, Expenses and Financial Aid Cabinet Supplement Nos. 6, 9 and 11]

(i) Individual (including examination of countable aid);

(ii) Team (including examination of countable aid); and

(iii) Equivalency versus head count designations.

(b) Athletics aid hearing opportunities. [Reference Awards, Benefits, Expenses and Financial Aid Cabinet Supplement No. 10]

(c) Multiyear scholarships/presumption of renewal concept. [Reference Awards, Benefits, Expenses and Financial Aid Cabinet Supplement No. 9]

(d) Educational outreach to financial aid administrators. [Reference Awards, Benefits, Expenses and Financial Aid Cabinet Supplement No. 7]

Because the cabinet identified the examination of grant-in-aid limitations as its top priority, it requests the Legislative Council table any legislative proposals involving changes to legislated team grant-in-aid limits to provide time for the cabinet to conduct a broader examination of the limits for all sports. The staff will present to the cabinet research information that is currently available at the February meeting. The cabinet will have a more definitive sense of its timeline for its review; however, it is anticipated that the review may be completed by June 2010, at the earliest.

(2) Items for Staff to Explore for Future Meetings. During this discussion, the cabinet directed the staff to explore the following two items and report on its progress at future meetings:

(a) Improvements to the NCAA Compliance Assistant for the *Internet* (CA*i*) Software Program. The cabinet recommended that the CA*i* team undertake a review of the program's financial aid module to determine if it can be used to help the membership better understand and apply financial aid legislation.

(b) Incorporation of Financial Aid Information in the NCAA Guide for the College Bound Student-Athlete. The cabinet directed the staff to include information related to NCAA financial aid regulations, including period of award information and information related to individual and team financial aid limits, in the 2009-10 NCAA Guide for the College-Bound Student-Athlete.

(3) Items Discussed but Not Prioritized. The cabinet discussed but declined to prioritize discussion on the following topics:

(a) Athletics aid to nonqualifiers. [Reference Awards, Benefits, Expenses and Financial Aid Cabinet Supplement No. 12] The cabinet expressed concern that permitting athletics aid during the initial year in residence may take away an incentive for prospective student-athletes to become qualifiers. For this reason, the cabinet did not prioritize the issue but is willing to discuss it at a later date if the Academic Cabinet determines it to be a priority; and

(b) Participation awards limitations. [Reference Awards, Benefits, Expenses and Financial Aid Cabinet Supplement No. 13]

k. Communication of Key Items. The chair reminded the cabinet members of the importance of reporting back to their conference and to the broader membership. Discussion items, which cabinet members were encouraged to share with other constituents, include the cabinet's position on specific legislative proposals and the four identified priority items**.**

Cabinet Chair: M. Grace Calhoun, Indiana University, Bloomington, Big Ten Conference
Staff Liaisons: Vanessa Fuchs, Membership Services
Brad Hostetter, Membership Services
Kris Richardson, Membership Services

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

Policies and Operating Procedures

[Updated February 2009]

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
5. Conflict of Interest Policy 5

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

Appendix G -- Figure 15-1 from the NCAA Division I Manual

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.

# # # # #

5. Conflict of Interest Policy

NCAA committee service involves important ethical and moral obligations. Committee integrity is critical to the decision-making process and includes trust, confidentiality and honesty in all issues and aspects of service and representation. Committee decisions should advance the interests of the Association, the division, or the sport, and ultimately enhance the student-athlete experience.

NCAA committee members scrupulously shall avoid any conflict between their respective personal, professional or business interests and the interests of the Association, in any and all actions taken by them on behalf of the Association.

Committee members have a fiduciary duty to the Association not to use knowledge or information obtained solely due to service on that committee to the disadvantage of the Association during the term of committee service. Further, a Committee member shall not participate in the 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 the committee shall not invalidate the action taken by the committee if, following disclosure of the conflict of interest, the committee authorizes, ratifies or approves the action by a vote sufficient for the purpose, without counting the vote of the committee member with the conflict of interest, and the appropriate oversight body approves the action.

A committee member is responsible for advising the chair of potential conflicts of interest and should recuse himself or herself from participating in proceedings where a personal, professional or business interest would reasonably result in a conflict of interest. Abuse of one's position as a member of a committee may result in dismissal from that position. Where a conflict of interest appears evident, a committee member will be notified by the committee chair and will have the opportunity to present a rebuttal or details of the situation. (*August 2008 Executive Committee minutes)*

Speaking Agent Policy

The president of the Association and the chair of the Executive Committee are the only individuals authorized to speak on behalf of the Association except as outlined below.

An individual representing a member institution or conference who speaks or opines on an Association issue only has the authority to express the view of that individual or the member institution or conference unless the individual has been designated by the Executive Committee of the Association as a speaking agent of the Association on that issue.

Committee chairs are hereby designated as speaking agents of their committees regarding issues within their committees' jurisdiction on which there is consensus, except that positions of advocacy on behalf of the committee or the Association to be communicated in writing or orally to persons or entities external to the Association must have prior approval by the NCAA Executive Committee or the president of the Association.

The president of the Association is hereby granted authority to designate additional speaking agents of the Association. *(April 2001 Executive Committee minutes)*

# # # # #

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.

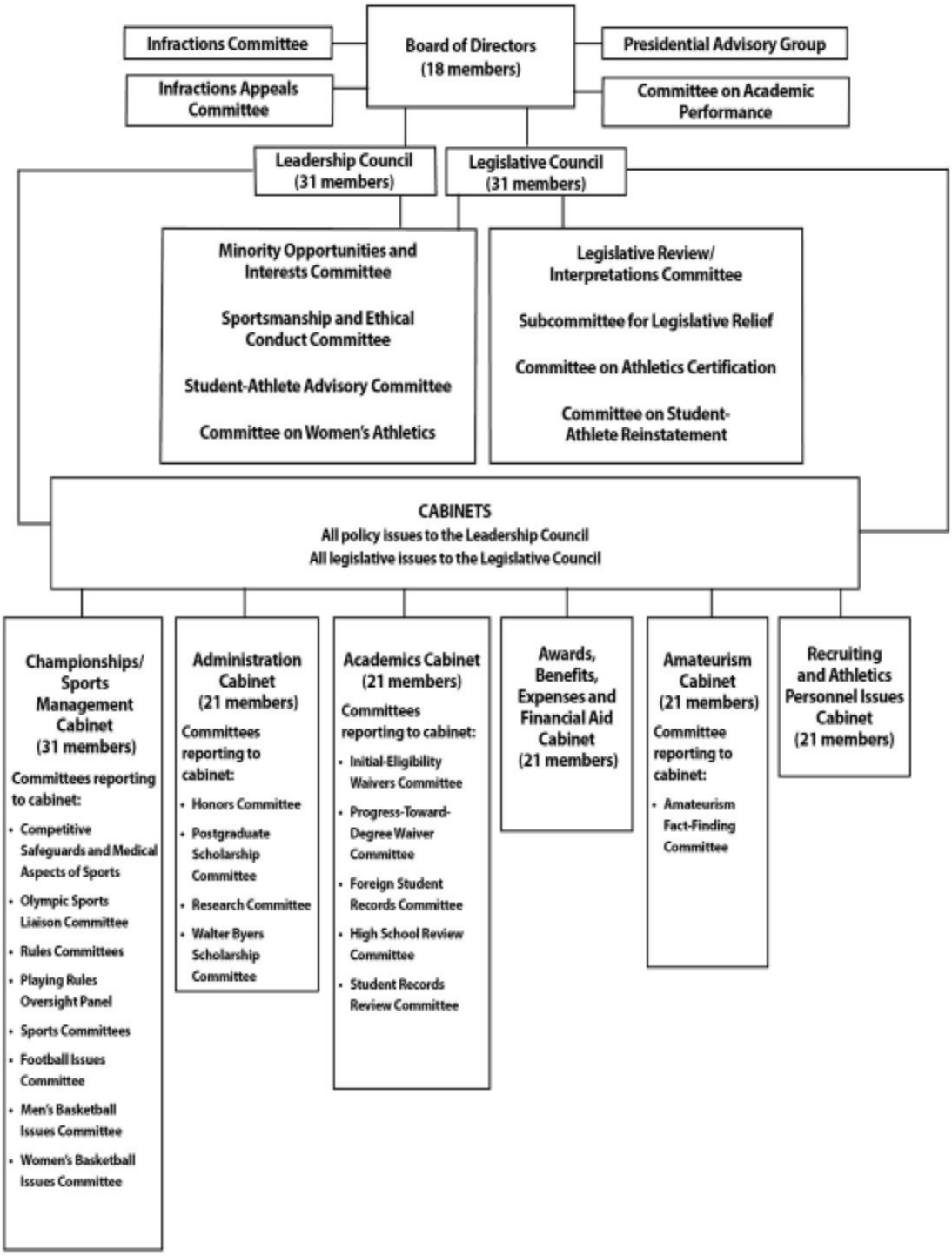
d. Call for Nominations. The call for nominations for the cabinets and councils will occur each January and the window for conferences to submit nominations will be open until the middle of March. This schedule is designed to provide the conferences with time to work together to present a diverse slate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

February 5-6, 2009, Los Angeles, California
June 10-11, 2009, Indianapolis, Indiana
September 17-18, 2009, Indianapolis, Indiana

Division I Leadership Council

January 15, 2009, Washington, DC

Division I Legislative Council

April 20-21, 2009, Indianapolis, Indiana
October 12-13, 2009, Indianapolis, Indiana

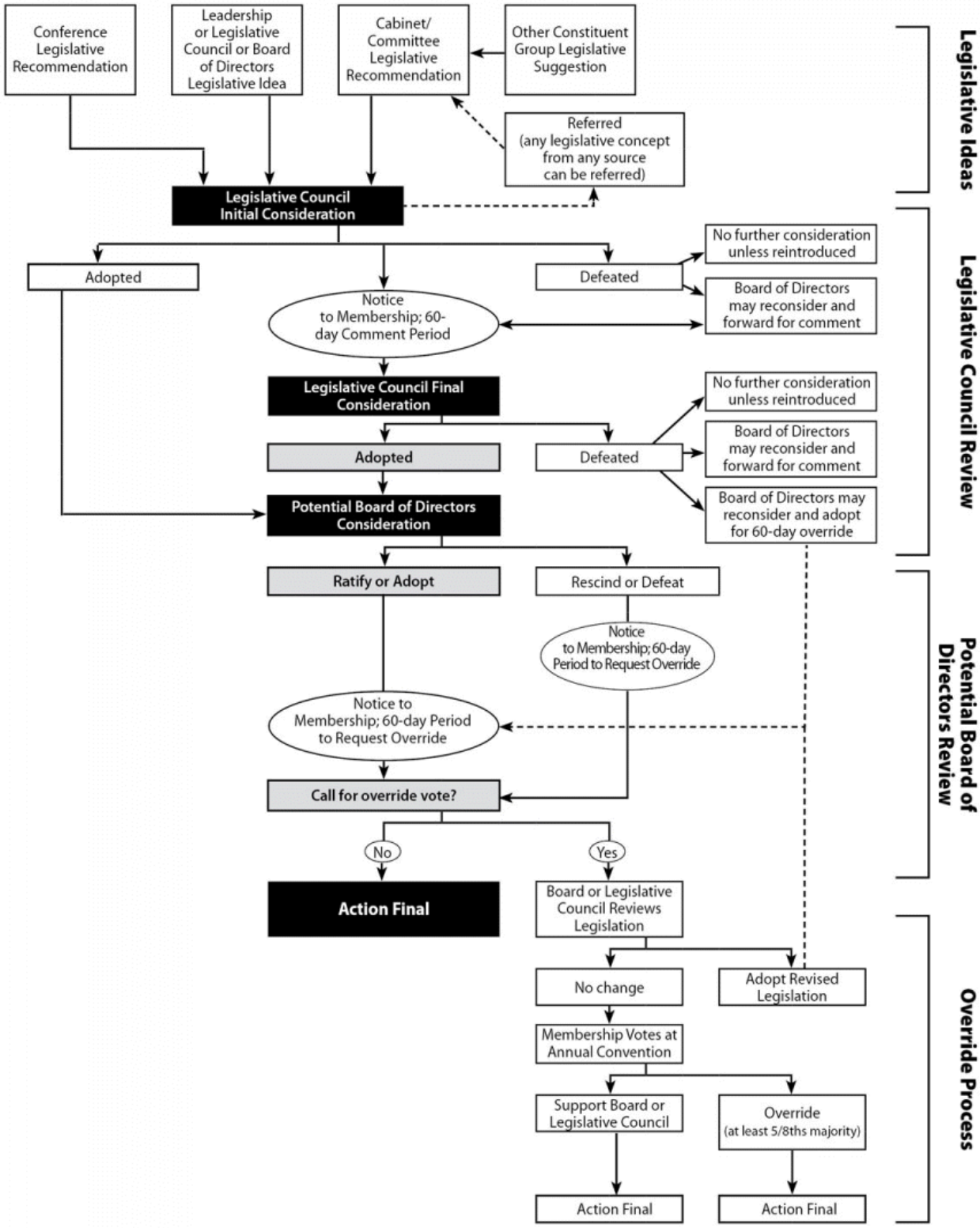
Division I Board of Directors

April 30, 2009, Indianapolis, Indiana
August 6, 2009, Indianapolis, Indiana
October 29, 2009, Indianapolis, Indiana

Executive Committee

January 17, 2009, Washington, DC
April 30, 2009, Indianapolis, Indiana

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.

FIGURE 15-1
Financial Aid Maximum Limits

	Citation	Individual Limitation[1]	Institutional Sport Limitation
Academic honor award	15.5.3.2.1.1	Yes	No
Aid based on athletics ability	15.02.4.1-(a)	Yes[2]	Yes
Americorps Program	15.2.5.1-(a)	No	No
Athletics grant	15.02.4.1-(a)	Yes[2]	Yes
Athletics participation compensation	15.1.2-(e)	Yes, if eligibility has not been exhausted[3]	No[3]
Dependents Education Assistance Program	15.2.5.1-(e)	No	No
Disabled Veterans award	15.2.5.1-(b)	No	No
Educational Expenses USOC or NGB	15.02.4.2(e) 15.2.6.5	Yes[2] Yes[2]	Yes[7] Yes[7]
Employment	15.2.7	No	No
Gifts following completion of eligibility	15.1.2-(c)	Yes	No
Government grants, institutionally administered	15.02.4.1-(b) 15.1.2-(a) 15.2.5	Yes Yes Yes	Yes[4] Yes[4] Yes[4]
Government grants, not institutionally administered	15.1.2-(a) 15.2.5 15.2.5.1	Yes Yes No	No No No
Honorary academic award	15.02.4.3-(a) 15.02.6	Yes Yes	No No
Institutional Employee Dependent Tuition Benefit	15.02.4.1-(a)	Yes	No[5]
Institutional grant or scholarship	15.02.4.1-(a) 15.5.3.2.1.2	Yes Yes	Yes[4] No
Loan, legitimate, repayment schedule	15.02.4.1-(a) 15.1.2-(f)	No No	No No
Military reserve training program	15.2.5.1-(c)	No	No
Montgomery G.I. Bill-Active Duty and Selected Reserve	15.2.5.1-(d)	No	No
Operation Gold Grant	15.02.4.5	No	No
Outside aid for educational purposes, unrelated to athletics ability	15.2.6.2 15.2.6.2.1.1 15.02.4.2-(b)	Yes Yes Yes	No No No
Outside aid, athletics participation considered a major criterion	15.2.6.4	Yes[2]	Yes, if recruited[7]
Outside aid, athletics participation not considered a major criterion	15.02.4.2-(c) 15.2.6.3	Yes Yes	No No
Parent/guardian contribution	15.2.6.1 15.2.6.1.1	No	No
Pell Grant	15.1.1	Yes	No
Postgraduate Scholarship	15.02.4.3-(b)	Yes	No
Professional sports stipend	15.1.2-(d)	Yes[3]	No[3]
Research grant	15.02.4.3-(a) 15.02.6	Yes Yes	No No
Social Security Insurance Program (including the Reinstated Entitlement Program for Survivors)	15.2.5.1-(e)	No	No
Special Assistance Fund	15.01.6.1	No	No
Summer school financial aid	15.2.8	Yes[6]	No
Supplemental Educational Opportunities Grant	15.02.4.1-(b)	Yes	Yes[4]
Student-Athlete Opportunity Fund	15.01.6.2	No	No
Tuition waiver	15.02.4.1-(a)	Yes	Yes[4]
United States Nuclear Propulsion Officer Candidate Program	15.2.5.1-(g)	No	No
Veteran's Death Pension Program	15.2.5.1-(e)	No	No
Veterans Educational Assistance Program	15.2.5.1-(h)	No	No
Vocational Rehabilitation for Service-Disabled Veterans Program	15.2.5.1-(i)	No	No
Welfare Benefits	15.2.5.1-(j)	No	No

Key:
[1] The limitation is equal to the value of the cost of attendance as defined by Bylaw 15.02.2.
[2] This type of aid is limited to the value of a full grant-in-aid.
[3] However, receipt of such compensation renders a student-athlete ineligible for intercollegiate athletics competition under the Association's rules of amateurism (see Bylaw 12).
[4] If considered a counter per Bylaw 15.5.
[5] Exempt if the student-athlete's parent or guardian has been employed as a full-time employee or staff member by the institution for at least five years.
[6] Institution is limited to providing value of full grant-in-aid during summer.
[7] Aid is countable toward team's limit up to full grant-in-aid. Additional aid up to the cost of attendance cannot be athletically related.

SUPPLEMENT NO. 3

Nutritional Supplements and Nutrition for NCAA Student-Athletes
Executive Summary 12-2008

Submitted by the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports (CSMAS)

CSMAS Position:

The committee supports policies that promote **food over supplements**, that **educate student-athletes** to make good nutrition choices, and that provide **supplement products solely for the purpose of providing extra calories and fluids** lost through athletics participation.

Original Intent of Nutritional Supplement Legislation

NCAA Bylaw 16.5.2 g. Nutritional Supplements, effective August 2000, allows institutions to provide only nutritional supplement products to student-athletes that assist with replacing calories and fluids lost through athletics activity. The legislation precluded the provision of muscle-building supplement products, and reflected a philosophy that proper nutrition based on scientific principles is one of the tenets to optimal performance. The nutritional supplement legislation was not intended to replace food with supplement products. The legislation identified very narrowly what constituted permissible supplements, intending to protect student-athlete well-being, and to address concerns about lack of federal regulation of "performance" supplement products for purity and efficacy, a risk that can adversely affect student-athlete health and eligibility.

Current State

The most recent NCAA GOALS survey of student-athletes reported that 87% of student-athletes report eating enough calories to sustain athletic activity most days, however they struggle with making healthy food choices. From the 2007 SAAC survey, of those student-athletes that report missing a meal, breakfast (47%) was the main meal missed, mostly because of a perceived "time" limitation (57%). Sixty-four percent of Division I institutions consult a sports dietician, (87% FBS, 48% FCS, 61% non- FB) on a regular basis

Since 2000, the commercial supplement industry has grown to a multibillion dollar industry driven by a "performance enhancement" philosophy. Of note is the data on recent inquiries to the Resource Exchange Center, REC, an NCAA sponsored resource for athletics to ask about banned drugs in supplements – inquiries were submitted on 356 different protein products, 300 different creatine products and 161 products with anabolic agents.

NCAA research data shows that overall 23 percent of NCAA institutions report they provide nutritional supplements to student-athletes, a fifteen percent decrease from 2005. However, divisional differences in this area were striking. Eighty-two percent of Division I-FBS institutions provided nutritional supplements to the student-athletes, while only one percent of Division III schools provided supplements.

This disparity is evident even within DI, where 27% of FBS institutions spent over $50,000 on supplements as compared to the majority of remaining DI institutions spending less than $15,000. It is clear supplements are not provided equally to all student-athletes or to all sports teams.

The supplement industry is unregulated and the supplement provision benefit seems inconsistently applied, may be used as a recruiting tool, a performance enhancer, and to replace food and meals.

Recommended Outcomes

CSMAS supports efforts at the campus level and through membership review of legislative policy that seek to create an environment that support appropriate nutrition behaviors. CSMAS encourages member institutions to provide student-athletes with time and access to whole food options, to dedicate resources to educate coaches and athletics administrators on appropriate nutrition practices, to continue engaging the services of a registered dietitian.

Specifically, CSMAS supports the following:

- NCAA legislation that permits a more liberal provision of food to student-athletes
- Permissible meals legislation that is inclusive of all roster athletes not just those on financial aid
- The passage of 2008-43 Fruits Nuts and Bagels as a distinct permissible benefit under Bylaw 16.5.2.h (and not a part of nutritional supplement g.)
- Continuing limitations on the nature of supplement products permitted under 16.5.2.g.

Nutritional Supplements and Nutrition for NCAA Student-Athletes

The NCAA Constitution identifies the purpose of the Association to initiate, stimulate and improve intercollegiate athletics programs to promote, among others, physical fitness and athletics excellence, and within the Principle of Student-Athlete Well-Being the responsibility of each member institution to protect the health of and provide a safe environment for each of its participating student-athletes. Fitness and nutrition are critical elements of health, safety and performance and, as such, should be identified as a priority target for student-athlete well-being initiatives.

Good nutrition is critical to health, injury prevention, and performance in the classroom and on the field. Poorly nourished student-athletes will not reach their potential and are at greater risk for long-term health concerns.

In **1999**, the Pacific-10 Conference introduced legislation to address concerns about the growing distribution by athletics departments of nutritional supplement products that could be considered performance-enhancing and potentially harmful to student-athlete health and safety. The NCAA Committee on Competitive Safeguards and Medical Aspects of Sports recommended language to identify as permissible only those nutritional supplements that fall into one of four categories: carbohydrate/electrolyte drinks, energy bars, carbohydrate boosters, and vitamins and minerals. Those permissible categories, except for vitamins and minerals, were selected because they do not create a competitive advantage (through strength/muscle building) -- they provide for hydration and calorie replacement only. The vitamins and minerals category was created because of their general acceptance by the public and their widespread inclusion in foods.

The 1999 legislation was intended to curtail the growing and rampant provision of supplements to student-athletes that contained performance-enhancing or muscle-building ingredients and potentially could put a student-athlete at risk for health or eligibility consequences. Allowing institutions to provide nutritional supplement products limited to carbohydrate replacement products and electrolyte replacement drinks met the need to replace calories and fluids in student-athletes who expended them in large amounts during training and competition. By limiting distribution to these classes, the legislation intended to root out supplements that were not necessary to calorie and fluid replacement and could be deemed to provide an unfair advantage.

Bylaw 16.5.2 g. Nutritional Supplements went into effect **August 2000**. Membership services staff published a Legislative Assistance column in the August 14, 2000, issue of The NCAA News, emphasizing again the intent of the legislation to prohibit an institution from providing nutritional supplements unless they are non-muscle-building and are included in one of the permissible classes. In that same edition of The NCAA News, an official interpretation (reference: Jul 26, 2000) was published emphasizing those elements of the application of the legislation.

The column emphasized that the new legislation reflected a philosophy that proper nutrition based on scientific principles is one of the tenets to optimal performance. The legislation from

its inception was intended to protect student-athlete well-being, and to address concerns about lack of federal regulation of supplement products for purity and efficacy, a risk that may adversely affect student-athlete health and eligibility. This concern is reflected in the preamble to the NCAA banned drug class list: "Many nutritional/dietary supplements contain NCAA-banned substances. In addition, the U.S. Food and Drug Administration does not strictly regulate the supplement industry; therefore, purity and safety of nutritional/dietary supplements cannot be guaranteed. Impure supplements may lead to a positive NCAA drug test. The use of supplements is at the student-athlete's own risk. Student-athletes should contact their institution's team physician or athletic trainer for further information."

In the fall 2007, the Committee on Competitive Safeguards and Medical Aspects of Sports submitted the following to the Division I Championships/Competition Cabinet:

a. Nutritional Supplement Policy Review.

(1) Recommendation. CSMAS is requesting comment from the Cabinet regarding NCAA policy restrictions on institutional provision of food to student-athletes, specifically as to the viability of allowing institutions to provide fruit and bread products (bagels, etc.) to student-athletes throughout their participation in practice, conditioning and competition; to assist in the discussions scheduled for the December 2007 CSMAS working group to review NCAA policies addressing the provision of food and of nutritional supplements.

(2) Rationale. When Bylaw 16.5.2.g was enacted in August 2000, the intent was to identify what types of supplement products would be permissible for NCAA institutions to provide to student-athletes in order to assist in replacing calories and fluids lost through athletics participation. The allowance of nutritional supplement provision was not intended to replace nutrition through food, but rather to discourage the provision of supplement products that were unnecessary to athletics participation and that were being promoted for performance enhancement (eg. creatine, protein powders). In the intervening years, CSMAS has heard from the membership that this policy has led to reliance by student-athletes on supplement products rather than on food for their nutrition, in part because the membership is restricted in providing things like fruit and bread products to student-athletes outside of what is allowed in meals legislation. CSMAS will conduct a thorough review of current supplementation practices from membership surveys and data from the REC, which gathers anonymous data from inquiries on supplement products. The committee then hopes to provide to the Cabinet a full report with recommendations regarding policies addressing daily provision of nutritional supplements and foods to student-

athletes to meet the intent to replace calories and fluids lost through athletics participation.

(3) Estimated Budget Impact. None.

(4) Student-Athlete Impact. The recommendations from this review are intended to support student-athlete well-being by assuring student-athletes are able to adequately recoup calories and fluids lost through athletics participation. There is no impact on student-athlete time demands.

In Response, the Division I Cabinet noted the following in their **September 2007** minutes: "Nutritional Supplement Policy Review. At the request of the Committee on Competitive Safeguards and Medical Aspects of Sport, the cabinet discussed a legislative concept that would permit an institution to provide its student-athletes with fruit and bread products at any time, as opposed to only during practice and/or competition. The cabinet expressed significant concern with such a legislative change due to the cost of such an initiative and the logistical concerns surrounding the location and distribution of the food (e.g., staff resources). The cabinet noted that its Awards/Travel Policies/Bylaw 16 Subcommittee also expressed similar concerns and additionally noted the potential for many interpretive issues surrounding the definition of these food products."

At its **December 2007 meeting**, and in light of the comment from the DI Cabinet, the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports conducted a full review of Bylaw 16.5.2.g, Nutritional Supplements, within the context of supporting student-athlete well-being and protecting health and safety. Once again, CSMAS emphasized that **the intent of this legislation is to allow institutions to provide nutritional supplement products to student-athletes that assist with replacing calories and fluids lost through athletics activity.** Supplement products should be viewed only as a supplement to food as the main source of nutrients. **The committee expressed a strong sentiment for the consideration of precluding the provision of all supplement products**, hearing from its members and others that this benefit has been abused; this abuse has been manifested in schools using supplements as recruiting tools, as performance enhancers, and as meal replacements when schedules preclude student-athletes from eating food during campus dining hours. At the time of this review, the committee recognized that current NCAA regulations and institutional practices preclude elimination of this provision without negatively impacting student-athlete well-being. **The committee plans to continue to review the appropriateness of this policy vis-à-vis student-athlete well-being.**

The committee recognizes the challenges presented to the membership in determining what nutritional supplement products are permissible, and **recommends that the lens of**

"appropriate" for nutritional health be applied to a review of any product under consideration. In the end, CSMAS **urges individual member institutions to institute policy and practice that provide student-athletes with time and access to whole food** to appropriately meet their nutritional needs. One example of such a policy is to accommodate for dining room schedules when starting and ending practices sessions.

NCAA 2007 Survey: Member Institution's Drug-Education and Drug-Testing Programs. Over 1000 questionnaires sent to directors of athletics at all active and provisional member institutions. 627 surveys were returned in time to be included in the results for a 59 percent return rate. Of the returned surveys, 60 percent were completed by the director of athletics, 20 percent by athletic trainers, 16 percent by an assistant or associate director of athletics and 4 percent by individuals designated as "other."

Overall, 23 percent of institutions indicated providing nutritional supplements to the student-athletes, a fifteen percent decrease from 2005. Divisional differences in this area were significant. Eighty-two percent of Division I-FBS institutions provided nutritional supplements to the student-athletes, while only one percent of Division III schools provided supplements.

5. Does your institution provide nutritional supplements to your student-athletes?

Response Choice	I FBS	I FCS	I NO FB	II	III	Total / (%)
Yes	67/82%	39/48%	18/31%	15/10%	3/1%	142 (23%)
No	15/18%	43/52%	40/69%	143/96%	244/99%	485 (77%)

Most of Division II and all Division III institutions spent less than $5000 annually on nutritional supplements, while 27 percent of Division I-FBS institutions spent over $50,000.

10. How much does your athletics department spend on nutritional supplements annually?

Response Choice	I FBS	I FCS	I NO FB	II	III	Total / (%)
Less than $1000	2/3%	5/13%	4/25%	7/47%	2/67%	20(15%)
$1000 - $5000	9/15%	16/41%	9/56%	6/40%	1/33%	41(31%)
$5001 - $15,000	16/26%	14/36%	3/19%	1/7%	-	34 (25%)
$15,001 - $30,000	9/15%	2/5%	-	1/7%	-	12 (9%)
$30, 001 - $50,000	9/15%	2/5%	-	-	-	11 (8%)
$50,001 - $75,000	4/7%	-	-	-	-	4 (3%)
More than $75,000	12/20%	-	-	-	-	12 (9%)

Division I institutions provided the most different types of nutritional supplements to the student-athletes while Division II and III institutions generally only one provided one product in each nutritional supplement category (e.g. carbohydrate boosters, energy bars, electrolyte drinks, vitamins and minerals.) Sixty-four percent of Division I institutions consult a sports dietician, while only 25% of Division II and 27% of Division III schools consult a sports dietician.

Most institutions (77%) did not find current NCAA regulations limiting in their ability to provide adequate food to meet the nutritional needs of the student-athletes. Divisional differences in this area were significant. Sixty-three percent of Division I-FBS institutions did find NCAA regulations limiting, particularly the nutritional supplement and training table meals legislation.

12. What if any current NCAA regulations limit your ability to provide adequate food to meet the nutritional needs of the student-athletes?

Response Choice	I FBS	I FCS	I NO FB	II	III	Total / (%)
Do not find current legislation limiting.	27/37%	49/66%	44/83%	120/83%	195/87%	**435 (77%)**
Meals in conjunction with home competition	15/21%	8/11%	2/4%	9/7%	12/5%	**46 (8%)**
Meals in conjunction with away-from home competition	12/16%	10/14%	1/2%	12/8%	14/6%	**49 (9%)**
Training table meals	22/30%	13/18%	3/6%	3/2%	7/3%	**48 (9%)**
Nutritional supplement legislation	30/41%	7/10%	3/6%	-	4/2%	**44 (8%)**
Other	7/10%	2/3%	3/6%	10/7%	13/6%	**35 (6%)**

Division II and Division III both reported low supplement provision rates and reported being able to meet the nutritional needs for their student-athletes without a legislative burden.

Division I (62%) was more likely to utilize the services of a registered dietician as compared to the other divisions.

11. Do you consult with a sports dietician?

Response Choice	I FBS	I FCS	I NO FB	II	III	Total / (%)
Yes	66/85%	38/48%	34/61%	39/25%	65/27%	242 (39%)
No	12/15%	42/53%	22/39%	117/75%	180/74%	373 (61%)

From this review, in an effort to provide further clarity in the application of 16.5.2.g and to avoid putting student-athletes at risk, CSMAS recommended in its report to the Cabinet **June 2008** the following editorial changes to the bylaw. These changes reiterate the intent and purpose of the original legislation:

Nutritional Supplements. In addition to providing meals, an institution may provide permissible nutritional supplements at any time to a student-athlete for the purpose of providing additional calories and electrolytes lost through athletics activity, provided the supplements do not contain any NCAA banned substances. Permissible nutritional supplements are identified according to the following classes: . carbohydrate/electrolyte replacement drinks; calorie replacement drinks, bars and gels*; multi-vitamins and minerals.**

***not to exceed 500 calories per product**
****not to exceed 250% RDA for any one element**

In response, the NCAA Division I Championships/Competition Cabinet **June 24-25, 2008** Page No. 9. **NCAA Committee on Competitive Safeguards and Medical Aspects of Sport Recommendation on Nutritional Supplements**. The Championships/Competition Cabinet declined to support a recommendation from the NCAA Committee on Competitive Safeguards and Medical Aspects of Sport to amend the legislation related to the provision of nutritional supplements to student-athletes. The Championships/Competition Cabinet determined the recommendation was not noncontroversial and referred the issue to the new governance structure to determine the nature of the issues and, if appropriate, suggest alternative solutions.

September 2008
Fruits Nuts and Bagels

2008-43 AWARDS, BENEFITS AND EXPENSES -- HOUSING AND MEALS -- FRUIT, NUTS AND BAGELS
Status: Legislative Council Initial Consideration Process Diagram
Intent: To specify that an institution may provide fruit, nuts and bagels to student-athletes at any time.
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-(g) unchanged.

(h) Fruit, nuts and bagels. An institution may provide fruit, nuts and bagels to a student-athlete at any time.

Source: Atlantic Coast Conference.
Effective Date: August 1, 2009
Proposal 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.
Estimated Budget Impact: Costs related to providing fruit, nuts and bagels to student-athletes at any time.
Impact on Student Athlete's Time: None.

2008-43 Fruits Nuts and Bagels – CSMAS Support and Comments
Submitted 09-12-2008

The Committee on Competitive Safeguard and Medical Aspects of Sports generally supports proposal 2008-43, which allows institutions to provide to student-athletes at any time fruits, nuts and bagels, as an additional subsection to 16.5.2., and not as a part of 16.5.2.g.

The committee recommends that member institutions engage the services of a registered dietitian with expertise in sports nutrition to provide guidance and education to both staff and student-athletes to increase awareness of good nutrition practices and to overcome reliance on products that may be performance detracting and potentially harmful to student-athlete health and eligibility.

CSMAS supports efforts at the campus level and through membership review of legislative policy that seek to create an environment that support appropriate nutrition. The **committee**

encourages changes in policy to permit a more liberal provision of food to student-athletes: ideally, nutrient appropriate food would be accessible to all participating student-athletes regardless of sport or scholarship status. (The committee notes that research conducted by the NCAA identifies a wide disparity in institutional provision of nutritional supplements.) **CSMAS encourages athletics departments to dedicate resources to focus attention on educating coaches and athletics administrators** on appropriate nutrition, and to establish policies that support all student-athletes to access appropriate food to meet these needs.

Attachments

- Nutrition Survey of SAAC 2007.
- Historical timeline tracking meals and snack legislation and nutritional supplement legislation.

NCAA Nutrition Resources

- Female Athlete Triad Book
- Health and Safety Speakers Grants
- APPLE Conferences
- Leadership Conferences
- NCAA 2009 Convention session

Student Athlete Nutrition Survey Results

Survey Participation

Survey Participation		
	n	%
Full Submissions	8381	84.4
Partial Submission	1549	15.6
Total	9930	100

1. In what division does your institution compete?

Divisional Breakdown		
	n	%
Division I	8984	91.4
Division II	31	0.3
Division III	814	8.3

2. What is your current academic standing?

Current Academic Standing		
	n	%
Freshman	3100	31.6
Sophomore	2490	25.4
Junior	2273	23.1
Senior	1850	18.8
Graduate Student	108	1.1

Division & Year in School								
	Division I		Division II		Division III		Overall	
	n	%	n	%	n	%	n	%
Freshman	2834	31.6	5	16.1	256	31.6	3095	31.6
Sophomore	2284	25.5	9	29.0	195	24.1	2488	25.4
Junior	2063	23.0	9	29.0	200	24.7	2272	23.2
Senior	1690	18.8	8	25.8	149	18.4	1847	18.8
Graduate Student	98	1.1	0	0.0	9	1.1	107	1.1

3. What is your primary sport?

Year in School & Sport								
	Freshman		Sophomore		Junior		Senior	
	n	%	n	%	n	%	n	%
Archery	3	0.1	1	0.0	1	0.0	2	0.1
Men's Baseball	120	3.9	115	4.6	116	5.1	77	4.2
Women's Fieldhockey	117	3.8	78	3.1	49	2.2	41	2.2
Men's Football	260	8.4	188	7.6	162	7.1	115	6.2
men's basketball	32	1.0	36	1.5	32	1.4	31	1.7
men's cross country	45	1.5	38	1.5	29	1.3	22	1.2
men's fencing	21	0.7	13	0.5	8	0.4	15	0.8
men's golf	46	1.5	46	1.9	35	1.5	32	1.7
men's gymnastics	7	0.2	6	0.2	8	0.4	6	0.3
men's hockey	11	0.4	9	0.4	13	0.6	5	0.3
men's indoor track	93	3.0	54	2.2	55	2.4	45	2.4
men's lacrosse	28	0.9	32	1.3	23	1.0	21	1.1
men's outdoor track	83	2.7	68	2.7	65	2.9	58	3.1
men's rifle	3	0.1	4	0.2	3	0.1	5	0.3
men's skiing	2	0.1	8	0.3	5	0.2	2	0.1
men's soccer	106	3.4	83	3.4	74	3.3	47	2.6
men's swimming	116	3.8	95	3.8	92	4.1	79	4.3
men's tennis	35	1.1	33	1.3	41	1.8	32	1.7
men's volleyball	16	0.5	8	0.3	7	0.3	9	0.5
men's waterpolo	11	0.4	9	0.4	11	0.5	7	0.4
men's wrestling	40	1.3	21	0.8	35	1.5	24	1.3
Women's softball	149	4.8	144	5.8	111	4.9	116	6.3
squash	9	0.3	4	0.2	8	0.4	7	0.4
Women's synchronized swimming	2	0.1	1	0.0	2	0.1	3	0.2
Women's basketball	109	3.5	88	3.6	92	4.1	67	3.6
Women's bowling	4	0.1	1	0.0	4	0.2	1	0.1
Women's cross country	58	1.9	44	1.8	55	2.4	44	2.4
Women's fencing	21	0.7	19	0.8	10	0.4	17	0.9
Women's golf	71	2.3	55	2.2	55	2.4	60	3.3
Women's gymnastics	43	1.4	30	1.2	32	1.4	39	2.1
Women's ice hockey	14	0.5	19	0.8	8	0.4	12	0.7
Women's indoor track	187	6.1	129	5.2	105	4.6	87	4.7
Women's lacrosse	78	2.5	55	2.2	46	2.0	58	3.1
Women's outdoor track	138	4.5	104	4.2	91	4.0	82	4.5
Women's rifle	2	0.1	1	0.0	0	0.0	1	0.1
Women's rowing	198	6.4	148	6.0	123	5.4	120	6.5
Women's skiing	5	0.2	6	0.2	5	0.2	4	0.2
Women's soccer	253	8.2	204	8.2	187	8.3	112	6.1
Women's Swimming	181	5.9	145	5.9	126	5.6	111	6.0
Women's tennis	84	2.7	95	3.8	85	3.8	52	2.8
Women's volleyball	173	5.6	137	5.5	147	6.5	90	4.9
Women's water polo	21	0.7	20	0.8	22	1.0	20	1.1
Other	90	2.9	83	3.4	88	3.9	64	3.5

Division & Sport								
	Division I		Division II		Division III		Overall	
	n	%	n	%	n	%	n	%
Archery	8	0.1	0	0.0	0	0.0	8	0.1
Men's Baseball	390	4.4	2	6.9	39	4.8	431	4.4
Women's Fieldhockey	260	2.9	0	0.0	25	3.1	285	2.9
Men's Football	689	7.7	2	6.9	43	5.3	734	7.5
men's basketball	98	1.1	0	0.0	32	4.0	130	1.3
men's cross country	129	1.4	1	3.4	7	0.9	137	1.4
men's fencing	53	0.6	0	0.0	4	0.5	57	0.6
men's golf	150	1.7	0	0.0	11	1.4	161	1.6
men's gymnastics	27	0.3	0	0.0	0	0.0	27	0.3
men's hockey	35	0.4	0	0.0	3	0.4	38	0.4
men's indoor track	213	2.4	1	3.4	40	5.0	254	2.6
men's lacrosse	102	1.1	0	0.0	2	0.2	104	1.1
men's outdoor track	276	3.1	0	0.0	4	0.5	280	2.9
men's rifle	14	0.2	1	3.4	0	0.0	15	0.2
men's skiing	18	0.2	0	0.0	0	0.0	18	0.2
men's soccer	276	3.1	1	3.4	37	4.6	314	3.2
men's swimming	356	4.0	0	0.0	30	3.7	386	3.9
men's tennis	123	1.4	1	3.4	19	2.4	143	1.5
men's volleyball	32	0.4	0	0.0	8	1.0	40	0.4
men's waterpolo	37	0.4	0	0.0	1	0.1	38	0.4
men's wrestling	117	1.3	0	0.0	5	0.6	122	1.2
Women's softball	481	5.4	2	6.9	50	6.2	533	5.4
squash	28	0.3	0	0.0	0	0.0	28	0.3
Women's synchronized swimming	7	0.1	0	0.0	1	0.1	8	0.1
Women's basketball	308	3.4	1	3.4	50	6.2	359	3.7
Women's bowling	9	0.1	1	3.4	0	0.0	10	0.1
Women's cross country	175	2.0	1	3.4	28	3.5	204	2.1
Women's fencing	55	0.6	0	0.0	11	1.4	66	0.7
Women's golf	226	2.5	3	10.3	15	1.9	244	2.5
Women's gymnastics	139	1.6	0	0.0	5	0.6	144	1.5
Women's ice hockey	42	0.5	0	0.0	11	1.4	53	0.5
Women's indoor track	466	5.2	1	3.4	53	6.6	520	5.3
Women's lacrosse	234	2.6	0	0.0	5	0.6	239	2.4
Women's outdoor track	417	4.7	0	0.0	7	0.9	424	4.3
Women's rifle	4	0.0	0	0.0	0	0.0	4	0.0
Women's rowing	585	6.5	1	3.4	4	0.5	590	6.0
Women's skiing	20	0.2	0	0.0	0	0.0	20	0.2
Women's soccer	706	7.9	0	0.0	59	7.3	765	7.8
Women's Swimming	511	5.7	0	0.0	55	6.8	566	5.8
Women's tennis	290	3.2	3	10.3	27	3.3	320	3.3
Women's volleyball	471	5.3	4	13.8	77	9.6	552	5.6
Women's water polo	82	0.9	0	0.0	1	0.1	83	0.8
Other	287	3.2	3	10.3	37	4.6	327	3.3

4. How many meals do you generally eat per day?

How many meals do you generally eat per day?		
	n	%
1 to 2 meals per day	1651	16.8
3 meals per day	5632	57.4
4 to 5 meals per day	2342	23.9
More than 5 meals per day	190	1.9

Meals per day by Division								
	1 to 2 meals per day		3 meals per day		4 to 5 meals per day		More than 5 meals per day	
	n	%	n	%	n	%	n	%
Division I	1443	16.1	5126	57.2	2204	24.6	186	2.1
Division II	6	19.4	19	61.3	4	12.9	2	6.5
Division III	200	24.6	479	59.0	131	16.1	2	0.2

5. Do you eat more or fewer meals on the weekend than you do during the week?

Do you eat more or fewer meals on the weekend than you do during the week?		
	n	%
More on the weekend	1752	17.8
Less on the weekend	3536	36.0
About the same	4532	46.2

6. If you skip meals, which one are you more likely to miss?

If you skip meals, which one are you most likely to miss?		
	n	%
I do not skip meals	2248	22.9
Breakfast	4683	47.6
Lunch	2636	26.8
Dinner	268	2.7

7. What is your main reason for skipping meals?

What is your main reason for skipping meals?		
	n	%
Lack of time	4366	57.8
Food not around	629	8.3
Practice conflicts with meal time	718	9.5
Dining hall not open	199	2.6
Not hungry	1089	14.4
Weight managment	276	3.7
Financial concerns	278	3.7

Division and Reason for Skipping Meals														
	Lack of time		Food not around		Practice conflicts with meal time		Dining hall not open		Not hungry		Weight managment		Financial concerns	
	n	%	n	%	n	%	n	%	n	%	n	%	n	%
Division I	3934	57.5	570	8.3	691	10.1	174	2.5	951	13.9	246	3.6	270	3.9
Division II	10	41.7	2	8.3	1	4.2	1	4.2	7	29.2	2	8.3	1	4.2
Division III	413	60.5	57	8.3	24	3.5	24	3.5	131	19.2	27	4.0	7	1.0

Year in School and Reason for Skipping Meals														
	Lack of time		Food not around		Practice conflicts with meal time		Dining hall not open		Not hungry		Weight managment		Financial concerns	
	n	%	n	%	n	%	n	%	n	%	n	%	n	%
Freshman	1510	60.8	158	6.4	208	8.4	112	4.5	365	14.7	74	3.0	56	2.3
Sophomore	1070	56.4	169	8.9	192	10.1	44	2.3	265	14.0	82	4.3	74	3.9
Junior	1007	57.1	140	7.9	175	9.9	28	1.6	231	13.1	65	3.7	90	5.1
Senior	731	54.0	154	11.4	134	9.9	13	1.0	215	15.9	52	3.8	55	4.1

8. When do you eat the majority of your calories?

Question 8: When do you eat the majority of your calories?		
	n	%
Before Noon	841	9.1
Between noon and 6pm	4970	53.6
After 6pm	3470	37.4

9. How often do you eat at the following places:

Question 9: How often do you eat at the following places:														
	Every day		Nearly Everyday		Most days		Sometimes		Seldom		Never		Total	
	n	%	n	%	n	%	n	%	n	%	n	%	n	%
Dining Hall	2990	31.3	1540	16.1	803	8.4	911	9.5	1210	12.7	2098	22.0	9552	100.0
Off Campus café / grill	107	1.1	264	2.8	621	6.6	3646	38.5	3639	38.5	1182	12.5	9459	100.0
Off campus restaurant	75	0.8	220	2.3	552	5.8	4239	44.6	3838	40.4	570	6.0	9494	95.6
Off campus fast food	55	0.6	175	1.8	427	4.5	2096	22.1	3674	38.8	3037	32.1	9464	95.3
Convenience store	67	0.7	214	2.3	496	5.3	2163	22.9	3375	35.7	3127	33.1	9442	100.0
Campus Meal stop	407	4.3	845	8.9	1290	13.6	2842	30.0	2146	22.6	1949	20.6	9479	100.0
Apartment	2069	21.8	1327	14.0	1067	11.3	1383	14.6	1236	13.0	2392	25.2	9474	100.0
Other	152	1.6	178	1.9	264	2.8	1113	11.9	2447	26.1	5221	55.7	9375	100.0

10. How much soda pop do you consume daily?

Question 10: How much soda pop do you consume daily?		
	n	%
No Soda	7038	73.4
1 to 2 cans	2294	23.9
3 to 4 cans	209	2.2
5 to 6 cans	28	0.3
More than 6	24	0.3

11. If you drink soda pop, what kind do you usually drink?

Question 11: If you drink soda pop, what kind do you usually drink?		
	n	%
Regular caffeinated	1212	49.4
Regular noncaffeinated	213	8.7
Diet caffeinated	879	35.9
Diet noncaffeinated	147	6.0

12. Do you ever take dietary supplements?

Question 12: Do you ever take dietary supplements?		
	n	%
Yes	2400	25.1
No	7171	74.9

13. Which meals do you supplement?

Question 13: Which do you supplement?		
	n	%
Meals	687	29.5
Snacks	1009	43.4
Both	630	27.1

Year in School and Supplement Regimine						
	Meals		Snacks		Both	
	n	%	n	%	n	%
Freshman	183	31.3	249	42.6	152	26.0
Sophomore	173	27.6	269	42.9	185	29.5
Junior	162	29.7	249	45.7	134	24.6
Senior	156	29.5	223	42.2	149	28.2

14. How often do you take supplements?

Question 14: How often do you take supplements?		
	n	%
Daily	1399	59.0
2 to 3 times a week	609	25.7
Once a week or less	364	15.3

15. Do you take supplements scheduled around competition?

Question 15: Do you take supplements scheduled around competition?		
	n	%
Yes just before competition	172	7.2
Yes, just after competition	162	6.8
Yes, before and after competition	458	19.3
No	1581	66.6

16. What supplements do you take?

What supplements do you take?		
	n	%
Amino acids	362	15.1
Carb. Boosters	387	16.1
Creatine	395	16.5
DHEA	9	0.4
Energy bars	998	41.6
Multi-vitamins	1761	73.4
Protein products	1185	49.4
Weight gain products	212	8.8
Weight loss products	174	7.3
Other	300	12.5

17. If you could improve your nutrition, what changes would you make?

If you could improve your nutrition, what changes would you make?		
	n	%
East more often	2175	21.9
Eat more calories	748	7.5
Eat less often	812	8.2
Eat fewer calories	2847	28.7
Eat greater variety	4083	41.1
Eat healthier foods	5824	58.7
Eat more fruits and vegetables	5530	55.7
Learn more about good nutrition	2121	21.4
Cook for self	2801	28.2
Eat out less	1902	19.2
Get better access to food service	1383	13.9
Get better access to healthy foods on campus	3525	35.5
Get better access to healthy foods while traveling for competition	2627	36.5
I do not need to improve my nutrition	307	3.1

18. Do you believe you eat enough calories to perform well in your sport?

Do you believe you eat enough calories to perform well in your sport?		
	n	%
Every day	2672	28.3
Nearly Every day	3024	32.0
Most days	2586	27.4
Sometimes	985	10.4
Seldom	146	1.5
Never	35	0.4
Total	9448	100.0

Year in School and Response to Eating enough calories to perform well in Sport												
	Every day		Nearly Every day		Most days		Sometimes		Seldom		Never	
	n	%	n	%	n	%	n	%	n	%	n	%
Freshman	933	31.3	963	32.3	746	25.0	274	9.2	51	1.7	13	0.4
Sophomore	627	26.3	755	31.7	703	29.5	254	10.6	36	1.5	10	0.4
Junior	577	26.3	681	31.1	633	28.9	258	11.8	34	1.6	7	0.3
Senior	507	28.5	581	32.6	478	26.9	187	10.5	22	1.2	5	0.3

19. In general, do you believe you eat well enough to support your health?

In general, do you believe you eat well enough to support your health?		
	n	%
Yes	7752	82.1
No	819	8.7
Don't know	876	9.3

20. Do you have access to a dietician or nutritionist?

Do you have access to a dietician or nutrionist?		
	n	%
Yes, athletic department	3795	40.4
Yes, general campus	2716	28.9
No access to dietitian or nutritionist	2887	30.7

Division and Access to Dietitian						
	Yes, athletic department		Yes, general campus		No access to dietitian or nutritionist	
	n	%	n	%	n	%
Division I	3708	43.2	2442	28.4	2434	28.4
Division II	4	13.8	12	41.4	13	44.8
Division III	76	9.9	258	33.6	435	56.6

21. Do you utilize the sports or general campus dietitian?

Do you utilize the sports or general campus dietitian?		
	n	%
Yes	1281	19.5
No	5276	80.5

Division and Utilization of the Dietitian		
	yes	
	n	%
Division I	1244	20.1
Division II	4	25.0
Division III	31	9.2

22. Are you a Division I student-athlete who has previously participated in intercollegiate athletics?

Are you a Division I student-athlete who has previously competed in intercollegiate athletics?		
	n	%
Yes	4984	53.1
No	4397	46.9

24. How many seasons have you competed?

How many seasons have you COMPETED?		
	n	%
One	1269	25.5
Two	1494	30.0
Three	1366	27.4
Four	853	17.1
Total	4982	100.0

25. When your team travels for an away-from-home competition, are your provided with meals or given a cash per-diem?

When your team travels for an away-from-home competition, are you provided with meals or given a cash per diem?		
	n	%
Always provided a meal	2969	32.0
Always provided cash per diem	1897	20.4
Sometimes provided with meal and per diem	4273	46.1
Not provided either	138	1.5

Division and Meal Method								
	Always provided a meal		Always provided cash per diem		Sometimes provided with meal and per diem		Not provided either	
	n	%	n	%	n	%	n	%
Division I	2674	31.6	1696	20.0	3997	47.2	104	1.2
Division II	12	44.4	4	14.8	8	29.6	3	11.1
Division III	282	37.0	191	25.1	259	34.0	30	3.9

26. If you are provided with a FULL DAY cash per diem, what amount of money do you typically receive?

If you are provided a FULL DAY cash per diem, what amount of money do you typically receive?		
	n	%
Under $10	2250	22.7
$10	732	7.4
$11	30	0.3
$12	131	1.3
$13	41	0.4
$14	38	0.4
$15	493	5.0
$16	46	0.5
$17	46	0.5
$18	84	0.8
$19	22	0.2
$20	1677	16.9
$21	124	1.2
$22	75	0.8
$23	36	0.4
$24	96	1.0
$25	724	7.3
I do not know	1304	13.1
More than $25	754	7.6
Not applicable	1227	12.4

27. If you are given a cash per diem, what amount do you typically receive for:

If you are given a cash per diem, what amount do you typically receive for:						
	Breakfast		Lunch		Dinner	
	n	%	n	%	n	%
1 to 5 dollars	2922	44.7	1079	16.1	490	7.3
6 to 10 dollars	3298	50.4	4688	70.1	3254	48.3
11 to 15 dollars	273	4.2	827	12.4	2457	36.5
15 plus dollars	51	0.8	90	1.3	533	7.9

28. If you are given a cash per diem, what amount do you typically spend for:

If you are given a cash per diem, what amount do you typically spend for:						
	Breakfast		Lunch		Dinner	
	n	%	n	%	n	%
Less than one-half	1939	29.8	974	14.7	361	5.4
About one-half	919	14.1	1426	21.5	1219	18.3
More than one-half	1270	19.5	1544	23.3	1719	25.8
All of the money	1892	29	2074	31.3	2287	34.3
Supplement w/ own money	495	7.6	612	9.2	1083	16.2

29. If you are provided a FULL DAY cash per diem, approximately what amount of the cash per diem that you receive do you actually spend to purchase away-from-home meals?

If you are provided a FULL DAY cash per diem, approximately what amount of the cash per diem that you receive do you actually spend to purchase away-from-home meals?		
	n	%
Less than one half	246	3.7
About one half	673	10.1
More than one half	2233	33.5
All the money	2510	37.6
Supplement with own money	1011	15.2

30. If you are provided a cash per diem, at what kind of dining establishment does your team typically dine?

If you are provided with a cash per diem, at what kind of dining establishment do you typically dine?		
	n	%
Grocery store / health food markets / convenience store	2610	26.3
Fast food (e.g., pizza, hamburger, fries)	2680	27.0
Deli / sandwich shop	4465	45.0
Buffet-style restaurants	1697	17.1
Variety-menu restaurants	3536	35.6
Catered meal served at hotel	977	9.8
High-end restaurants (e.g., steakhouses)	920	9.3

32. Do you think you would be provided a more nutritious meal if your coach was only permitted to provide you with a team meal rather than a cash per diem?

Do you think you would be provided a more nutritious meal if your coach was only permitted to provide you with a team meal rather than a cash per diem?		
	n	%
Yes	2430	34.7
No	4566	65.3

34. If you are provided a team meal instead of a cash per diem, what kind of establishment does your team typically frequent?

If you are provided a team meal instead of a cash per diem, at what kind of establishment does your team typically frequent?		
	n	%
Grocery store / health food markets / convenience store	1295	13.0
Fast food (e.g., pizza, hamburger, fries)	1617	16.3
Deli / sandwich shop	3442	34.7
Buffet-style restaurants	2028	20.4
Variety-menu restaurants	3639	36.6
Catered meal served at hotel	1831	18.4
High-end restaurants (e.g., steakhouses)	1197	2.1

35. When your team participates in a home competition, are you provided with a post-competition meal or are you given a cash per diem?

When your team participates in a home competition, are you provided with a post-competition meal or are you given a cash per diem?		
	n	%
I am always provided with a MEAL after home competitions.	1865	23.3
I am always provided with a CASH PER DIEM after home competitions.	403	5.0
I am sometimes provided with a meal OR sometimes a cash per diem.	1216	15.2
My team does NOT receive post-competition meals or cash per diems after home games.	4533	56.5

36. Do you eat the food provided?

Do you eat the food provided?		
	n	%
Yes	3071	88.9
No	259	7.5
No, can't eat after competition	124	3.6

37. If you do not eat the post-game meal, do you have easy access to food later in the day?

Do you have easy access to food later in the day?		
	n	%
Yes, both day and night	4439	59.8
Yes, only after day	1491	20.1
Yes, only after night	163	2.2
No	1330	17.9

Historical Timeline (1989-2008) of Policy Actions related to feeding student-athletes versus providing nutritional supplements.

June 2007 CSMAS Recommendation . CSMAS is requested comment from the Division I CC Cabinet regarding NCAA policy restrictions on institutional provision of food to student-athletes, specifically as to the viability of allowing institutions to provide fruit and bread products (bagels, etc.) to student-athletes at any time. In other words, does the cabinet believe it should be permissible to provide fruit and bread at any time (e.g., not during practice or competition)? MORE...

Jan. 1991 – Division I Proposal 31. Limiting Training table meals. Approved, Effective 1996.

1998 – 2000 CSMAS Comments: The committee went on record to note their concern that the restriction of training tables may have inadvertently contributed to the rise of unrestricted supplement use. The committee supports the reinstitution of training tables. MORE ...

1999-70 ***Defeated*** - To permit an institution to provide snacks, consisting specifically and solely of fruit and bread items, to student-athletes following one practice each day. MORE ...

Sept. 2007 - Response from the Division I Championships/Competition Cabinet to CSMAS - Nutritional Supplement Policy Review. At the request of the Committee on Competitive Safeguards and Medical Aspects of Sport, the cabinet discussed a legislative concept that would permit an institution to provide its student-athletes with fruit and bread products at any time, as opposed to only during practice and/or competition. The cabinet expressed significant concern with such a legislative change due to the cost of such an initiative and the logistical concerns surrounding the location and distribution of the food (e.g., staff resources). The cabinet noted that its Awards/Travel Policies/Bylaw 16 Subcommittee also expressed similar concerns and additionally noted the potential for many interpretive issues surrounding the definition of these food products. MORE...

ACC Sponsored Division I Proposal 2008-43.
16.5.2 -
(a) through 16.5.2-(g) unchanged.
(g) **Fruit, nuts and bagels.**
RATIONALE ...

Aug. 2008 – Division I expanded permissive meals legislation around competition. MORE...

1989 | 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008

Nov. 1989 - NCAA Staff Interpretation determined that an institution may provide **weight gain supplements** at no cost to a student-athlete in DI. MORE ...

May 1997 - NCAA Staff Interpretation confirmed that an institution may provide **weight gain supplements** at no cost to a student-athlete in DI. Further, the staff confirmed that this issue is distinguishable from the provision of "late night" snacks to student-athletes, which remain impermissible except on the day of a competition and the evening preceding the day of the competition in the applicable sport. MORE ...

1998-59 ***Defeated*** - To prohibit creatine as a permissible medical benefit incidental to a student-athlete's participation in intercollegiate athletics that may be financed by an institution. MORE ...

1999-72 ***Approved*** - To permit institutions to provide only nonmuscle-building nutritional supplements for the purpose of providing additional calories and electrolytes, provided they do not contain any NCAA banned substances. MORE ...

Jul 2000 – MS Interpretation permissible/ nonpermissible nutritional supplements outlined; 30% protein limitation added. MORE ...

May 2005 Ed Column on 16.5.2.g – changed Nonpermissible to immpermissibe; added more substances; added education for assessment. MORE ...

CSMAS recommends modifying the language of bylaw 16.5.2.g to create clarity and assist member schools in applying the bylaw fully within the original intent of the legislation. MORE ...

Weight-gain supplement **Archived Interpretation**
Date Issued: Nov 17, 1989
Date Published: Nov 17, 1989
Type: Staff Interpretation
Item Ref: h
Archive Info: Adoption of 16.5.2.2

Interpretation: Generate Archive Request

h. Weight Gain Supplement: Reviewed Bylaw 16.5.1-(c) [meals incidental to participation] and determined that an institution may provide weight gain supplements at no cost to a student-athlete, inasmuch as the use of the supplement is considered incidental to the student-athlete's participation in intercollegiate athletics; noted further, that this issue is distinguished from the provision of "late night" snacks to student-athletes, inasmuch as such snacks would constitute an additional impermissible meal for student-athletes.

Weight-Gain Supplements **Archived Interpretation**
Date Issued: May 21, 1997
Date Published: May 21, 1997
Type: Staff Interpretation
Item Ref: 1
Archive Info: due to 99-72

Interpretation: Generate Archive Request

a. Weight-Gain Supplements. The legislative services staff confirmed that an institution may provide weight-gain supplements as a benefit incidental to participation in intercollegiate athletics to a student-athlete only during the academic year (as opposed to the summer). Further, the staff confirmed that this issue is distinguishable from the provision of "late night" snacks to student-athletes, which remain impermissible except on the day of a competition and the evening preceding the day of the competition in the applicable sport. [Note: This minute replaces staff minute 11/17/89, item h, which has been archived.] [References: NCAA Bylaws 16.5.1-(c) and 16.5.1-(d) (housing and meals -- permissible

-- meals incidental to participation); Official interpretation, 10/05/95, item 1; and Official interpretation, 11/17/93, item 4]

1998-59 MEDICAL EXPENSES

Status: Defeated - Final

Intent: To prohibit creatine as a permissible medical benefit incidental to a student-athlete's participation in intercollegiate athletics that may be financed by an institution.

Bylaws: Amend 16.4.2, pages 209-210, as follows:

"16.4.2 Nonpermissible. Student-athlete medical expense benefits that may not be financed by the institution are:

[16.4.2-(a) and 16.4.2-(b) unchanged.]

"(c) Medical or hospital expenses incurred as the result of an injury while going to or from class, or while participating in classroom requirements (e.g., physical education), unless similar services are provided by the institution to all students or by the terms and conditions of the institution's overall insurance program; *and*

"(d) Teeth cleaning, provisional filling of teeth or other dental work, unless the dental work is directly related to injury to the teeth that occurred during practice or competition.**; and**

"(e) The following dietary supplement(s): creatine."

Vote Requirement: Federated
Source: NCAA Division I Championships/Competition Cabinet (Big East Conference).
Effective Date: Immediate
Proposal Category: Amendment
Topical Area: Awards, Benefits and Expenses

Rationale: During its July 27-29, 1998, meeting, the Management Council referred this proposal (submitted by the Big East Conference) to the C/C Cabinet and to the Committee on Competitive Safeguards and Medical Aspects of Sports. The proposal would have added to the list of nonpermissible medical expenses "dietary supplement (e.g., weight-gain supplements, creatine)". The Committee on Competitive Safeguards and Medical Aspects of Sports had suggested that this proposal be editorially amended to include all "weight-gain, muscle/strength-building supplements". The cabinet agrees with the Big East Conference and the Committee on Competitive Safeguards and Medical Aspects of Sports that in order to protect the health of student-athletes and to minimize institutional legal liability, institutions should be prohibited, throughout the calendar year, from financing/providing supplements for which significant concerns exist regarding product efficacy, purity, medical necessity and safety. However, the cabinet believes that, in addition to creatine, a definitive list of supplements that are known to cause or are suspected of causing serious and harmful health effects is necessary to avoid the confusion and interpretive problems associated with a reference to a general category of supplements. It is important to note that the Committee on Competitive Safeguards and Medical Aspects of Sports currently is looking at other types of dietary supplement and may suggest future amendments to prohibit institutions from financing other supplements for student-athletes.

Estimated Budget Impact:

Impact on Student Athlete's Time:

1999-70 PERMISSIBLE BENEFITS -- SNACKS

Status: **Defeated - Final**

Intent: To permit an institution to provide snacks, consisting specifically and solely of fruit and bread items, to student-athletes following one practice each day.

Bylaws: Amend 16.5.1, as follows:

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

[16.5.1-(a) through 16.5.1-(d) unchanged.]

"(e) Post Practice Snacks. In Division I, an institution may provide a snack, consisting specifically and solely of fruit and bread items, to student-athletes following one practice each day during the playing and practice season."

[16.5.1-(e) and 16.5.1-(f) relettered as 16.5.1-(f) and 16.5.1-(g), unchanged.]

Vote Requirement: Federated

Source: NCAA Division I Academics/Eligibility/Compliance Cabinet (Pacific-10 Conference).

Effective Date: Immediate

Proposal Category: Amendment

Topical Area: Awards, Benefits and Expenses

Rationale: Many believe that despite receiving one training table meal per day, most student-athletes still do not get sufficient nutrition, particularly during the season. Presently, providing a snack after practice activities have concluded constitutes an extra benefit. This would help address that concern at limited expense to the institution.

Estimated Budget Impact:

Impact on Student Athlete's Time:

1999-72 HOUSING AND MEALS -- NUTRITIONAL SUPPLEMENTS

Status: Adopted - Final

Intent: To permit institutions to provide only nonmuscle-building nutritional supplements for the purpose of providing additional calories and electrolytes, provided they do not contain any NCAA banned substances.

Bylaws: Amend 16.5.2, pages 214-215, as follows:

"16.5.2.3 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."

Vote Requirement: Federated

Source: NCAA Division I Board of Directors [Management Council (Championships/Competition Cabinet) (Pacific-10 Conference)].

Effective Date: Aug 01, 2000

Proposal Category: Amendment

Topical Area: Awards, Benefits and Expenses

Rationale: Because of the lack of long-term studies on possible side effects and lack of FDA regulation, it is not advisable for muscle-building supplements to be provided. This proposal would prohibit an institution from doing so, while allowing institutions to provide nonmuscle-building nutritional supplements at any time. Further, although there is continued dispute regarding the safety of muscle-building supplements, the fact remains that such supplements are performance enhancing. Institutions that have the resources to provide such supplements to their student-athletes could obtain a competitive advantage. Identifying permissible expenses provides clearer direction to member institutions. The Committee on Competitive Safeguards and Medical Aspects of Sports has identified the following classes of permissible supplements: carbohydrate/electrolytic drinks, energy bars, carbohydrate boosters and vitamins and minerals.

Estimated Budget Impact:

Impact on Student Athlete's Time:

January 1998

Weight-Gain Supplements in Summer. The NCAA Interpretations Committee asked that the subcommittee review the issue of institutions providing weight-gain supplements free of charge to student-athletes during summer vacation. In addition, the committee recommended that other issues related to expenses that may not be provided to student-athletes during the summer also be reviewed. The subcommittee endorsed the current interpretations of legislation as submitted.

June 1998

Supplements. The subcommittee reviewed a request from a Division I conference to reevaluate the position the NCAA has taken on institutions providing supplements to student-athletes during the summer period and noted that the request raised larger questions about the use of these products. The committee recommended that the provision of weight gain, muscle/strength-building supplement products to student-athletes by member institutions and their personnel be nonpermissible at all times.

Supplements. The committee reviewed a request from a Division I conference to reevaluate the position the NCAA has taken regarding institutions providing supplements to student-athletes during the summer period.
The committee noted that the request raises larger questions about the use of these products. It is was not clear to the committee how colleges and universities had reached the point where many are providing these products to student-athletes in the way they might provide a training-table meal or protective equipment.

The NCAA has endorsed a position on the use of these supplements by student-athletes and the provision of these products by athletics personnel. Guideline 2J, Nutritional Ergogenic Aids, is contained in the Sports Medicine Handbook. The guideline notes concerns about supplement-product efficacy, purity, medical necessity, and safety. It also warns that that some of these products have resulted in positive drug tests and those student-athletes have lost eligibility as a result.

It was the sense of the meeting that at many schools, the sound medical recommendations of NCAA Guideline 2J are not being followed because the Association has adopted an interpretation that providing these products to students is permissible under NCAA legislation. Concerns about competitive equity have overpowered concerns about product efficacy, product safety, institutional liability and cost. This is a contradiction in policy and practice that should not continue.

The committee recommended that the provision of weight gain, muscle/strength building supplement products to student-athletes by member institutions and their personnel be nonpermissible at all times.

January 18-19, 1999

Weight-Gain Supplements. The subcommittee affirmed the committee's recommendation regarding its muscle/strength-building supplement legislation in Division I.

June 1999

Proposal No. 98-59 (CC). The committee reviewed proposal No. 98-59 (CC) and a draft response from the drug-education/drug-testing subcommittee. The committee voted unanimously not to support Proposal No. 98-59 and reaffirmed its position that providing any weight-gain and muscle/strength building supplements, including but not limited to creatine, should not be a permissible expense at any time.

January 2000

Supplement Education Proposal. The subcommittee had requested a proposal from The Center to develop and market a Dietary Supplement Resource Exchange Center (REC) to student-athletes on the issue of supplement use. Drug-testing appeals heard by this subcommittee reflect a trend and increase positive tests resulting from supplement use. During these appeals it became clear that student-athletes and athletics staff were unaware of the risks of testing positive through use of dietary supplements. Ms. Thomas presented the proposal on behalf of The Center. The subcommittee recommended a reallocation of $30,000 and new funding in the amount of $35,000.

Legislative Proposal No. 99-72. The subcommittee reviewed its current stance on Legislative Proposal No. 99-72. It was recommended that the following language be submitted to the Division I Management Council:

"An institution may only provide non ergogenic nutritional supplements to a student-athlete at any time for the purpose of providing additional calories and electrolytic fluids, provided they do not contain any NCAA banned substances."

The subcommittee identified the following classes of permissible supplements for reference: carbohydrate/electrolytic drinks, energy bars, carbohydrate boosters, and vitamins and minerals. A conference call will be scheduled with the National Strength and Conditioning Association (NSCA) and committee members Mr. Smith, Dr. Green and Ms. Clarkson to solicit NSCA input on this legislation. The NCAA Student-Athlete Advisory Committee (SAAC) will be asked to provide comment on this issue. Bryan Smith, committee chair, and Randy Dick, NCAA senior assistant director health and safety, will continue the discussion with the NSCA at the Joint Commission meeting February 25-27.

The subcommittee went on record to note their concern that the restriction of training tables may have inadvertently contributed to the rise of unrestricted supplement use. The subcommittee supports the reinstitution of training tables.

Nutritional Supplements (I) Date Issued: Jul 26, 2000
Date Published: Jul 26, 2000
Type: Official
Item Ref: a

Interpretation: Generate Archive Request

It is not permissible for an institution to provide any nutritional supplement to its student-athletes, unless the supplement is a nonmuscle-building supplement and is included in one of the four classes identified specifically in NCAA Bylaw 16.5.2.2 (i.e., carbohydrate/electrolyte drinks, energy bars, carbohydrate boosters, and vitamins and minerals). The following is a list of examples of permissible and nonpermissible nutritional supplements/ingredients as developed by the NCAA Competitive Safeguards and Medical Aspects of Sports Committee (CSMAS). The list below is not exhaustive but should assist institutions in determining the types of nutritional supplements that may be provided to student-athletes.

Permissible
Vitamins and Minerals
Energy bars
Calorie replacement drinks (e.g., Ensure, Boost)
Electrolyte replacement drinks (e.g., Gatorade, Powerade)

Nonpermissible
Amino Acids
Chrysin
Condroitin
Creatine/creatine-containing compounds
Ginseng
Glucosamine
Glycerol
HMB
I-carnitin
Melatonin
Pos-2
Protein powders
Tribulus

The subcommittee, at the recommendation of the CSMAS, also determined that a supplement that contains protein may be classified as a nonmuscle-building supplement provided it is included in one of the four permissible categories, does not contain more than 30 percent of calories from protein (based solely on the package label) and does not contain additional ingredients that are designed to assist in the muscle-building process (see examples of nonpermissible supplements/ingredients). Nutritional supplements containing more than 30 percent of calories from protein are classified as muscle-building supplements and may not be provided to student-athletes.

To assist the membership in calculating the percentage of calories from protein contained in a particular supplement, the subcommittee noted that one gram of protein equals four calories. Therefore, the percentage of calories from protein contained in a nutritional supplement may be calculated by multiplying the number of grams of protein per serving by four and dividing the product by the total number of calories per serving. For example, a nutritional supplement that contains 120 total calories per serving and nine grams of protein per serving would contain 36 calories from protein (i.e., 9 grams x 4). Therefore, the percentage of calories from protein would be 0.3 or 30 percent (i.e., 36 calories from protein/120 total calories). [References: Bylaw 16.5.2.2 (nutritional supplements) and Proposal No. 99-72 (benefits/nutritional supplements)]

NCAA issues notice about nutritional-supplement provision

The NCAA News Online, May 23rd, 2005

NCAA membership services staff has posted an educational bulletin on the Legislative Service Database online (LSDBi) regarding the provision of nutritional supplements to student-athletes.

The bulletin serves as a reminder that in accordance with NCAA Bylaw 16.5.2.g, only non-muscle-building nutritional supplements may be given to student-athletes for the purpose of providing additional calories and electrolytes, as long as the supplements do not contain NCAA-banned substances.

The issue has merited additional attention recently in light of the increasingly changing supplement market and requests by the membership for further assistance in understanding the legislation.

Many supplement products contain NCAA-banned substances that are not always recognized as such or included in the supplement labels. Thus, student-athletes have tested positive for NCAA-banned substances by ingesting products they obtained in retail stores, gyms and over the Internet.

The Pacific-10 Conference first introduced legislation in 1999 to address concerns about the growing distribution by athletics departments of nutritional supplements that could be considered performance-enhancing and potentially harmful to student-athlete health and safety. The NCAA Committee on Competitive Safeguards and Medical Aspects of Sports recommended language to identify as permissible only those nutritional supplements that fall into one of four categories: carbohydrate/electrolyte drinks, energy bars, carbohydrate boosters, and vitamins and minerals. Those permissible categories, except for vitamins and minerals, were selected because they do not create a competitive advantage (through strength/muscle building) -- they provide for hydration and calorie replacement only. The vitamins and minerals category was created because of their general acceptance by the public and their widespread inclusion in foods.

"The legislation was intended to curtail the growing and rampant provision of supplements to student-athletes that contained performance-enhancing or muscle-building ingredients and potentially could put a student-athlete at risk," said Mary Wilfert, NCAA assistant director of education outreach.

"Allowing institutions to provide those classes of supplements met the need to replace calories and fluids in student-athletes who expended them in large amounts during training and competition. By limiting distribution to those four classes, the legislation intended to root out supplements that were not necessary to calorie and fluid replacement and could be deemed to provide an unfair advantage."

Shortly before the nutritional-supplement legislation became effective, the NCAA membership services staff provided additional education about the new bylaw. The staff published a Legislative Assistance column in the August 14, 2000, issue of The NCAA News, emphasizing again the intent of the legislation to prohibit an institution from providing nutritional supplements unless they are non-muscle-building and are included in one of the four classes identified in the bylaw.

The article also pointed out other important factors, including:

* The legislation reflects a philosophy that proper nutrition based on scientific principles is one of the tenets to optimal performance.

* It is not permissible for an institution or an institutional staff member to sell or arrange the sale of muscle-building supplements to student-athletes.

* A permissible supplement can contain no more than 30 percent of its calories from protein (the percentage of calories from protein can be determined by multiplying protein grams by four and dividing that by the total calories in the product).

Finally, the article provided two lists -- one that included the permissible classes, and another containing examples of impermissible nutritional-supplement ingredients. The latter was not an exhaustive list, but rather a list of common ingredients as identified by the competitive-safeguards committee, based on anticipated questions from the membership.

In that same edition of the News, an official interpretation was published emphasizing those elements of the application of the legislation.

"The legislation from its inception was intended to protect student-athlete well-being," Wilfert said. "Because the supplement industry is not regulated in the same manner that food and drugs are, these products carry a risk in adversely affecting our student-athletes."

Wilfert noted that the NCAA posts the following warning: "Many nutritional/dietary supplements contain NCAA-banned substances. In addition, the U.S. Food and Drug Administration does not strictly regulate the supplement industry; therefore, purity and safety of nutritional/dietary supplements cannot be guaranteed. Impure supplements may lead to a positive NCAA drug test. The use of supplements is at the student-athlete's own risk. Student-athletes should contact their institution's team physician or athletic trainer for further information."

Permissible/impermissible products

To assist the membership in accurately applying Bylaw 16.5.2.g, posted below are two lists of supplements: one permissible for the institution to provide, the other containing examples of impermissible ingredients.

It is important to note that when reading the ingredient label of a supplement product, the listing of any impermissible ingredient makes the product impermissible. Further, when considering the product's protein content, the reader should consider the listing of the word "protein" and the number of grams included. If any other parts of a protein are listed

separately, as in any amino acid or chain, it would not be permissible for an institution to provide such a supplement to its student-athletes. If the product lists a "proprietary protein" or "protein blend," then this is not protein from a whole food source, but rather a concoction created by the manufacturer, and in most instances includes impermissible supplement ingredients..

Permissible

- Vitamins and minerals
- Energy bars
- Calorie replacement drinks (for example, Ensure, Boost)
- Electrolyte replacement drinks (for example, Gatorade, Powerade)

Impermissible

- Amino acids (including amino acid chelates)
- Chondroitin*
- Chrysin
- CLA (Conjugated Linoleic Acid)
- Creatine/compounds containing creatine
- Garcinia Cambogia (Hydroxycitric Acid)
- Ginkgo Biloba
- Ginseng
- Glucosamine*
- Glutathione
- Glycerol **
- Green tea
- HMB (Hydroxy-methylbutyrate)
- Melatonin
- MSM (Methylsulfonyl Methane)
- Protein powders
- St. John's Wort
- Tribulus
- Weight-gainers
- Yohimbe

* It is permissible for an institution to provide glucosamine and/or condroitin to a student-athlete for medical purposes, provided such substances are provided by a licensed medical doctor to treat a specific, diagnosed medical condition (as opposed to prescribing them for preventive reasons).

** Glycerine or glycerol as a binding ingredient in a supplement product is permissible.

Applying Bylaw 16.5.2.g

In considering whether a supplement product shall be considered permissible under this legislation, a member institution should:

- Review the labeling ingredients to determine if the product meets the criteria set out within the legislation;

- Review the ingredients for any banned substances (see www.ncaa.org/health-safety);

- Determine whether the product contains any of the examples of "impermissible" ingredients referenced earlier;

- Determine if the product contains more than 30 percent calories from protein.

If at that time the member is still uncertain as to whether the terms of the legislation have been met, and in consultation with the institution's compliance office, the member should contact NCAA membership services for interpretive assistance and provide full written product-ingredient information. Membership services will act in concert with sports medicine consultants to provide a review of the product and respond to the member institution. Products deemed permissible should be reviewed annually to determine if any reformulation of the product has introduced elements that make it no longer permissible to provide to student-athletes.

If an institution has an interest in providing a supplement product being offered by a manufacturer or distributor of the product, it is the institution's responsibility to follow the outlined steps. Do not refer the manufacturer or distributor to the NCAA for a product review.

For more information, contact Mary Wilfert at mwilfert@ncaa.org

View online at:
http://www2.ncaa.org/media_and_events/association_news/ncaa_news_online/2005/05_23_05/association_wide/4211n18.html

Copyright © 2004 by NCAA
Further reproduction is prohibited without express written permission from NCAA.

CSMAS request for comment by the Division I Championships/Competition Cabinet.

Nutritional Supplement Policy Review.

a. Recommendation . CSMAS is requesting comment from the Division I Championships/Competition Cabinet regarding NCAA policy restrictions on institutional provision of food to student-athletes, specifically as to the viability of allowing institutions to provide fruit and bread products (bagels, etc.) to student-athletes at any time. In other words, does the cabinet believe it should be permissible to provide fruit and bread at any time (e.g., not during practice or competition)? If so, does the cabinet believe there should be a limit on the amount provided (e.g., distributed in single serving sizes)?

b. Rationale . Cabinet feedback will assist in the discussions scheduled for the December 2007 CSMAS working group to review NCAA policies addressing the provision of food and of nutritional supplements. When Bylaw 16.5.2.g was enacted in August 2000, the intent was to identify the types of supplement products that would be permissible for NCAA institutions to provide to student-athletes to assist in replacing calories and fluids lost through athletics participation. The allowance of nutritional supplement provision was not intended to replace whole food with supplement products, but rather to discourage the provision of supplement products that were unnecessary to athletics participation and that were being promoted for performance enhancement (e.g., creatine, protein powders). In the intervening years, CSMAS has heard from the membership that this policy has led to reliance by student-athletes on supplement products rather than on food for their nutrition, in part because the membership is restricted in providing things like fruit and bread products to student-athletes outside of what is allowed in meals legislation. CSMAS will conduct a thorough review of current supplementation practices from membership surveys and data from the Resource Exchange Center, which gathers anonymous data from inquiries on supplement products. The committee then hopes to provide to the cabinet a full report with recommendations regarding policies addressing daily provision of nutritional supplements and foods to student-athletes to meet the intent to replace calories and fluids lost through athletics participation.

c. Estimated Budget Impact .None.

d. Student-Athlete Impact . The recommendations from this review are intended to support student-athlete well-being by assuring student-athletes are able to adequately recoup calories and fluids lost through athletics participation. There is no impact on student-athlete time demands.

Response from the Division I Championships/Competition Cabinet to CSMAS

Nutritional Supplement Policy Review. At the request of the Committee on Competitive Safeguards and Medical Aspects of Sport, the cabinet discussed a legislative concept that would permit an institution to provide its student-athletes with fruit and bread products at any time, as opposed to only during practice and/or competition. The cabinet expressed significant concern with such a legislative change due to the cost of such an initiative and the logistical concerns surrounding the location and distribution of the food (e.g., staff resources). The cabinet noted that its Awards/Travel Policies/Bylaw 16 Subcommittee also expressed similar concerns and additionally noted the potential for many interpretive issues surrounding the definition of these food products.

CSMAS request to the Division I Championships/Competition Cabinet submission TBD

Noncontroversial Legislation - Bylaw 16.5.2.g Nutritional Supplements.

(a) Recommendation. Adopt noncontroversial legislation to amend Bylaw16.5.2.g as follows:

> **Nutritional Supplements.** An institution may provide *only nonmuscle-building* **permissible** nutritional supplements to a student-athlete at any time for the purpose of providing additional calories and electrolytes **lost through athletics activity**, provided the supplements do not contain any NCAA banned substances. Permissible *nonmuscle-building* nutritional supplements are identified according to the following classes: Carbohydrate/electrolyte **replacement** drinks, *energy bars,* **calorie replacement products** *carbohydrate boosters* and vitamin and mineral **supplements. Nutritional supplement products shall contain no more than 500 calories per product or drink, contain no more than 30 percent of calories from protein, and not exceed the Tolerable Upper Level Intake (UL) for any vitamin and mineral element, as identified by the Food and Nutrition Board, Institutes of Medicine, National Academy of Sciences, 2004.** ***(effective for products purchased after 8/1/08)***

(b) Rationale. Good nutrition is critical to health, injury prevention, and performance in the classroom and on the field. At its December 2007 meeting, the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports (CSMAS) conducted a review of Bylaw 16.5.2.g, Nutritional Supplements, within the context of supporting student-athlete well-being and protecting health and safety. At its June 2008 meeting CSMAS further recommended how best to clarify the language to reflect the original intent of this legislation, which was to allow institutions to provide nutritional supplement products to student-athletes that assist with replacing calories and fluids lost through athletics activity. The committee notes that many supplement products are promoted to the membership as performance-enhancing (ergogenic) aids rather than for the purpose of replacing the additional calories and fluid lost through athletics activity. CSMAS recommends modifying the language of the bylaw to create clarity and assist member schools in applying the bylaw fully within the original intent of the legislation. In line with the interpretation that products may have no more than 30 percent of calories from protein, the committee recommends that products do not exceed 500 calories per product. By identifying 500 calories per product, the member school has been provided information to assist them in procuring supplement products that meet the intent of the legislation, but that do not unduly restrict them in the case where a student-athlete may need more than one calorie replacement bar, gel or drink on a given day

For vitamins and minerals, the committee notes there exists a Recommended Daily Allowance (RDA) for vitamins and minerals, and in no case should any vitamin and mineral element exceed the Tolerable Upper Level Intake (UL) as identified by the Food and Nutrition Board, Institutes of Medicine, National Academy of Sciences, 2004. By following this recommendation, institutions reduce the risk of providing products with toxic levels of any vitamin or mineral.

The committee recognizes the challenges presented to the membership in determining what nutritional supplement products are permissible, and recommend that the lens of "appropriate for nutritional health" be applied to a review of any product under consideration. Institutions have an obligation to create an environment that supports student-athlete health and safety, and to accommodate nutrition demands directly resulting from athletics participation. CSMAS emphasizes the basic tenet that student-athletes should meet their nutritional needs through the consumption of a variety of whole foods, and that supplement products

should not replace food. The committee reiterates its concern about the purity, efficacy and safety of many nutritional supplement products.

The committee expressed a strong sentiment toward feeding student-athletes meals and snacks rather than relying on supplement products. The committee also questioned whether this current permissive benefit has been abused as a recruiting tool, a performance enhancer, or as meal replacements when schedules keep student-athletes from eating food during campus dining hours. The committee will continue to review the appropriateness of this policy vis-a-vis student-athlete well-being.

Good nutrition is critical to health, injury prevention, and performance in the classroom and on the field. Poorly nourished student-athletes will not reach their potential and are at greater risk for long-term health concerns. The committee recognizes that a registered dietitian with expertise in sports nutrition could provide guidance and education to both staff and student-athletes. CSMAS encourages awareness of good nutrition practices and avoidance of over-reliance on supplement products that may be performance detracting and potentially harmful to student-athlete health and eligibility.

(c) Estimated Budget Impact. None.

(d) Student-Athlete Impact. No additional burden and student-athletes will benefit from a more appropriate approach to nutritional supplementation.

2008-43 AWARDS, BENEFITS AND EXPENSES -- HOUSING AND MEALS -- NUTRITIONAL SUPPLEMENTS -- FRUIT, NUTS AND BAGELS

Status: Legislative Council Initial Consideration

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-(g) unchanged.

(g) **Fruit, nuts and bagels.** *{bylaw language to be determined but anticipated to included "any time"}*

Vote Requirement: Federated

Source: Atlantic Coast Conference.
Effective Date: Aug 01, 2009

Proposal 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.

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

Impact on Student Athlete's Time: None.

One-Year Period Legislation
Issues Related to Midyear Enrollees and the National Letter of Intent

Background

Currently, more than 600 institutions participate in the National Letter of Intent program. All NCAA Division I institutions, with the exception of those in the Ivy League, the service academies and some members of the Patriot League, are members of the program. Except for midyear junior college transfers in the sport of football, who must receive a written offer of athletics financial aid applicable for the remainder of the current academic year, a National Letter of Intent must be accompanied by a written offer of athletics financial aid applicable for the entire upcoming academic year (e.g., 2008-09 for those who signed during the 2007-08 academic year). Therefore, prospective student-athletes who have signed a National Letter of Intent have been awarded institutional athletics financial aid for one academic year.

All sports except for football, field hockey, soccer, cross country/track and field and men's water polo have an early National Letter of Intent signing period in mid-November. Therefore, it is possible that prospective student-athletes may sign a National Letter of Intent for the upcoming academic year during the early signing period and enroll at the institution for the spring semester (or winter or spring quarter) of the current academic year.

NCAA Division I Bylaw 15.3.3.1 (one-year period) prohibits institutions from awarding student-athletes athletically related financial aid for a period in excess of one academic year or for a period less than one academic year unless a legislated exception (e.g., final semester/quarter) is satisfied. Therefore, providing institutional athletics financial aid during the current academic year to a student-athlete who has already been awarded institutional athletics financial aid for one academic year violates the one-year period legislation. For example, a prospective student-athlete who signs a National Letter of Intent during the early signing period in November 2008, graduates from high school in December 2008 and enrolls at the institution with which the National Letter of Intent was signed for the spring 2009 semester may not be awarded institutional athletics financial aid for the spring 2009 term.

At its June 16, 2008, meeting the NCAA Division I Academics/Eligibility/Compliance Cabinet Subcommittee on Financial Aid reviewed an issue referred by the NCAA Legislative Review and Interpretations Committee and the Collegiate Commissioners Association Compliance Administrators Advisory Group related to developing an exception to Bylaw 15.3.3.1 for prospective student-athletes who have signed a National Letter of Intent for the upcoming academic year to be awarded institutional athletically related financial aid in the current academic year if the prospect enrolls early at the certifying institution (e.g., midyear of the current academic year).

The subcommittee developed a model that would create an exception to Bylaw 15.3.3.1 to permit an institution to provide athletically related financial aid to an incoming student-athlete who has

signed a National Letter of Intent during the early signing period yet enrolls in the academic year prior to the period of the award that accompanied the National Letter of Intent. The subcommittee forwarded this model to the National Letter of Intent Policy and Review Committee for consideration during its June 16, 2008, meeting. The following points related to this specific model were identified for that committee's consideration:

a. Whether the athletically related financial aid provided during the term(s) (e.g., spring term) prior to the period of the award outlined in the financial aid agreement that accompanied the National Letter of Intent must be provided in an amount equal to the athletically related financial aid that will be provided during each term of the ensuing academic year or may be awarded in any amount. [Bylaw 15.3.3.2 (regular academic year vs. summer term)]

b. Whether creating this exception to the one-year period would lead to increased pressure on prospective student-athletes to enroll early.

When developing this model, the subcommittee noted that, for example, a prospective student-athlete may sign a National Letter of Intent during the early signing period in November, but graduate early from high school and enroll at the certifying institution during the spring semester. This student-athlete, if permitted to receive institutional athletically related financial aid, would be part of the NCAA Division I Academic Performance Program for the spring term. Additionally, although current legislation does not preclude an institution from providing other types of institutional aid to a prospective student-athlete who signs a National Letter of Intent and enrolls early, the subcommittee noted that this exception may be warranted. Further, any athletically related financial aid awarded to such a prospective student-athlete would be subject to all other regulations regarding the provision of athletics aid (e.g., institutional team limits, five permissible years of unearned aid during the six year period).

At its June 2008 meeting, the National Letter of Intent Policy and Review Committee reviewed the model. Although the committee did not make any changes to policies, they supported a legislative change to permit an institution to provide athletically related financial aid to an incoming student-athlete who has signed a National Letter of Intent during the early signing period yet enrolls in the academic year prior to the period of the award that accompanied the National Letter of Intent.

Legislative Summary

Prior to August 1, 1973, NCAA financial aid regulations did not specify a period of award. The legislation focused on making sure student-athlete's who received unearned aid awarded when athletics ability was taken into consideration did not receive aid that exceeded "commonly accepted educational expenses."

In the early 1970s, the NCAA Council Financial Aid Review Committee reviewed the concept of financial aid. Among the proposals brought forth by this committee, which included grant-in-aid limitations for all sports and earlier signing dates for the National Letter of Intent, was a proposal to establish a maximum term of one year for grants-in-aid where athletics participation is a consideration. In 1973, at the NCAA 67th Annual Convention, NCAA Proposal No. 39 was adopted. The proposal did not establish a minimum period of award, but amended NCAA Constitution Article 3, Section 4-(b) to prohibit unearned financial aid where a student-athlete's athletics ability is taken into consideration in any degree from being awarded for a period in excess of one academic year.

There was no legislated minimum period of award for institutional athletics financial aid until 2006. That year, Proposal No. 2003-24 was adopted. Proposal No. 2003-24 established the current legislation, which specifies that if a student-athlete's athletics ability is considered in any degree in awarding financial aid, the aid cannot be awarded for a period in excess of one academic year or for a period of less than one academic year. Although exceptions to the one-year period are part of the legislation (e.g., midyear enrollment, one-time exception), they allow athletically related financial aid to be awarded for less than one academic year, not for more than one academic year.

Points to Consider

1. Should the athletically related financial aid awarded to the individual for the spring term be the same as what is set forth in the financial aid agreement that accompanied the National Letter of Intent.

   Scenario:

   The financial aid agreement that accompanied the National Letter of Intent was for 50 percent of a full grant-in-aid. If the student-athlete decides to enroll at midyear of the current academic year, must the institution award the student-athlete 50 percent of a full grant-in-aid for the spring term? If not, may the institution award the student-athlete less than 50 percent of a full grant-in-aid for the spring term? More than 50 percent of a full grant-in-aid for the spring term?

2. Should a National Letter of Intent signee who enrolls at midyear be subject to the increase permitted legislation for the upcoming academic year during the current academic year?

   The increase permitted legislation allows institutional financial aid to be increased for any reason prior to the commencement of the award. Once the period of award begins, however, the legislation permits institutional aid to be increased only if the institution can demonstrate

that the increase is unrelated in any manner to an athletics reason. The period of award begins when the student-athlete receives any benefits as a part of his or her grant-in-aid on the first day of classes for a particular academic term, or the first day of practice, whichever is earlier, until the conclusion of the period set forth in the financial aid agreement.

Scenario:

The financial aid agreement that accompanied the National Letter of Intent was for 50 percent of a full grant-in-aid. If the student-athlete decides to enroll at midyear of the current academic year, must the institution award the student-athlete 50 percent of a full grant-in-aid for the upcoming academic year? If not, may the institution award the student-athlete more than 50 percent of a full grant-in-aid for the upcoming academic year?

3. Should an institution be required to renew the athletics aid for the upcoming academic year even though the student-athlete already signed a financial aid agreement for the upcoming academic year when they signed the National Letter of Intent?

   The renewals and nonrenewals legislation requires the renewal of institutional financial aid based in any degree on athletics ability to be made on or before July 1 prior to the academic year in which it is to be effective. The legislation also requires institutions to promptly notify in writing each student-athlete who received an award of institutional financial aid based in any degree on athletics ability the previous academic year and who has eligibility remaining in the sport in which the aid was awarded whether the grant has been renewed or not renewed for the upcoming academic year.

   Scenario:

   The financial aid agreement that accompanied the National Letter of Intent was for 50 percent of a full grant-in-aid. If the student-athlete decides to enroll at midyear of the current academic year, must the institution decide whether to renew the aid on or before July 1 prior to that academic year, even though the student-athlete already has a signed financial aid agreement for the upcoming academic year?

4. Should a National Letter of Intent signee who enrolls at midyear be subject to the decrease not permitted legislation?

   The decrease not permitted legislation prohibits an institution from decreasing a student-athlete's financial aid from the time he or she signs the financial aid award letter until the conclusion of the period set forth in the financial aid agreement, except under the conditions set forth in the reduction or cancellation permitted legislation. The reduction or cancellation

permitted legislation allows institutional financial aid based in any degree on athletics ability to be reduced or cancelled during the period of the award only under specific circumstances (e.g., student-athlete renders him or herself ineligible for intercollegiate competition, voluntarily withdraws from the sport for personal reasons, etc.).

Scenario:

The financial aid agreement that accompanied the National Letter of Intent was for 50 percent of a full grant-in-aid. If the student-athlete decides to enroll at midyear of the current academic year and does not trigger any of the conditions in the reduction or cancellation permitted legislation, may the institution award the student-athlete less than 50 percent of a full grant-in-aid for the upcoming academic year? If the student-athlete triggers one of the conditions in the reduction or cancellation permitted legislation prior to the academic year for which the National Letter of Intent was signed, may the institution award the student-athlete less than 50 percent of a full grant-in-aid for the upcoming academic year? If the student-athlete triggers one of the conditions in the reduction or cancellation permitted legislation during the academic year for which the National Letter of Intent was signed, may the institution award the student-athlete less than 50 percent of a full grant-in-aid for the remainder of the academic year?

REPORT OF THE NCAA RESEARCH COMMITTEE

***ACTION ITEMS*.**

1. Legislative Action Items.

Association-wide.

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

(1) Recommendation. Adopt noncontroversial legislation to amend Bylaw 16.11.1.11 NCAA Research Studies to permit compensation of participants in institution-based student-athlete only research studies under the following conditions:

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

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

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

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

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

INFORMATIONAL ITEMS.

1. **NCAA Data Analysis Research Network (DARN) Update.** Dr. James Jackson provided an update on the recent meeting of DARN highlighting their discussions of the NCAA data sharing policy. Dr. Jackson provided a historical context of the development of DARN and how information is exchanged between the two groups.

2. **NCAA Conflict of Interest Policy Update.** Ms. Nicole Bracken provided an update on the forthcoming conflict of interest policy update and document that will be circulated to the Research Committee and other NCAA standing committees. Dr. Bernard Franklin provided additional clarification and information regarding the policy.

3. **Discussion of the Research Committee Graduate Student Research Grant Program.** Numerous issues were discussed and confirmed, including:

   - Grant Process. The committee confirmed the *Process for Reviewing Graduate Student Research Grant Proposals* document and procedural guidelines that have helped streamline the process. The committee also confirmed they wanted to continue the grant process in the manner outlined in this document.

   - Timing of the Call for Proposals. The committee maintained the call for proposals will be disseminated in early January and the deadline for submission will be May 1. In order to increase the applicant pool the committee will provide NCAA research staff sources to send the call for proposals.

   - Number of Grants Awarded. The committee discussed keeping the awards to four per year at a maximum of $5,000, but adapting the budget to account for increases in travel expenses.

   - Role of the NCAA Staff in the Review Process. The committee discussed all grant proposals be initially processed by NCAA research staff that results in a rating of acceptable or unacceptable.

   - Role of the NCAA Research Committee in the Review Process. The committee discussed reviewing all proposals in round two of the review process instead of dividing the workload. The committee agreed this would enhance the process and increase consistency in scoring and discussed future consideration of reviewing under the premise of forced priority.

   - Grant Review Timeline. The committee discussed the following guidelines as a way to streamline the proposal process:

NCAA call for proposals sent the week of January 5
Graduate student proposals due May 1
Staff reviews meeting on May 25
Committee materials sent June 8
Committee round one scores due July 27
Teleconference materials due to committee July 31
Teleconference during the first week in August
Notification to principal investigators on August 21

- Future Handling of Finalized Grant Winner Presentations. The committee recommended that in subsequent years, former grantees be provided the opportunity to have their final abstracts republished in the NCAA News and a possible connection be made to the National Convention.

6. **Overview of Research Staff Activities.** Mr. Todd Petr led a discussion of the research staff activities. The discussion centered on the activities of the staff and how they pertain to the mission of the Research Committee.

7. **NCAA Data Sharing Policy.** Dr. Jackson, Dr. Franklin and Mr. Petr led a discussion of the implications, considerations and challenges of the developing data sharing policy. It was requested the Research Committee review the document provided by Maggie Levenstein in order to make informed suggestions and voice any concerns that need to be brought to the attention of those creating the policy.

8. **"Growth, Opportunities, Aspirations and Learning of Students in college" (GOALS).** Mr. Petr and Dr. Tom Paskus discussed preparation and plans for the 2009-10 GOALS study.

9. **Research Updates.** Mr. Petr led a discussion of research updates.

Association-wide.

- New Publication E-mail. The committee received an update that all research publications would be distributed via e-mail blast to the top five on each campus.

- SCORE '96. The committee received a progress report on the upcoming study. Topics discussed included the review of the final version of the survey instrument, future iterations of the survey instrument and the differences in data collection versus the 1994 SCORE survey.

- Graduation-Rates Report. The committee received an update on the trends in the graduation success rates compared with the trends in federal graduation rates. Updates and discussion also took place concerning the demographic issues in the graduation-rates data. Additionally, the committee received an update on Academic Success Rates.

- Wagering Survey. The committee received an update on the previous year's quadrennial wagering study.

- Substance Use Survey. The committee received an update on the upcoming substance use study to be distributed by faculty athletics representatives. The staff facilitated questions regarding the survey instrument and the timeline for submission.

Division I.

- Academic Progress Rates (APR). The committee received an update on the APR and the future directions of these research efforts.

- "At-risk" Student-Athlete Issues. The committee received an update on the factors attributing to "at-risk" student-athlete behaviors. The staff facilitated questions regarding the sliding scale approach and the future directions of this research.

- Division I Men's Basketball Academic Enhancement Group. The committee received an update on academic issues under consideration by the Basketball Academic Enhancement Group.

- Division I Football Academic Working Group. The committee received an update on academic issues under consideration by the Football Academic Working Group.

10. Graduate Student Research Grant Program Presentations. The committee received presentation from the four grant winners of the 2008 Research Committee Graduate Student Research Grant Program.

- *Impact of Organizational Culture on Graduation Rates of NCAA Division I HBCU Athletes: A Case Study*, Ralph Charlton, College of William and Mary.

- *Predicting Academic Success for Student-Athletes: A Comparative Study,* Tiese Roxbury, University of North Carolina at Greensboro.

- *Perceptions of "Others": The Role of Heterosexism in the Decline of College Women Coaches,* Amy Sandler, University of Nevada Las Vegas.

- *Enhancing the Student-Athlete Experience: Understanding Sense of Community from a Student-Athlete's Perspective,* Stacy Warner, University of Texas at Austin.

11. Future Meetings. The committee agreed to continue holding its annual in-person meeting in conjunction with the NCAA Faculty Athletics Representatives Association Annual Meeting and Symposium. The next meeting will be held November 12-13, 2009 in St. Louis, Missouri.

Committee Chair: Kurt Beron, University of Texas at Dallas
Staff Liaison: Nicole Bracken, Research

NCAA Division I Financial Aid Institutional Limits and Outside Aid

NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet
February 2009

Overview

- Definitions.
- Determining a counter.
- Team limits.
- Equivalency computations.

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.

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.

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.

Determining a Counter – NCAA Bylaw 15.5.1

- A student-athlete shall be a counter if he or she:
  - Receives financial aid based in any degree on athletics ability;
  - Receives educational expenses awarded by the United States Olympic Committee (USOC) or US national governing body (or international equivalent);
  - Receives institutional aid that is not certified by the faculty athletics representative and director of financial aid as granted without regard in any degree to athletics ability; or
  - Is recruited and receives outside aid for which athletics participation is a major criterion.

Determining a Counter

- Football and basketball and NCAA Bylaw 15.5.1.2.
  - Recruited student-athletes who receive institutional aid granted without regard to athletics ability do not have to be counters until they engage in varsity intercollegiate competition.
  - Must have a statement on file that the student-athlete's admission and financial aid were granted without regard in any degree to athletics ability.

Determining a Counter

- Football and basketball - partial qualifiers.
  - Applies to student-athletes who first enrolled in a collegiate institution full time prior to August 1, 2005.
  - Recruited partial qualifiers receiving institutional financial aid that is not from athletics sources and is based only on financial need are not counters until he or she:
    - Participates in an institutional practice session; or
    - Represents the institution against outside competition.

Determining a Counter

- Football and basketball – institutional academic aid only.
- Recruited student-athletes whose only source of institutional financial aid is academic aid that is:
  - Based solely on his or her academic record at the certifying institution;
  - Awarded independently of athletics interests; and
  - An amount consistent with the pattern of all such awards made by the institution,

  may compete without counting in the institution's financial aid team limits if they have:
  - Completed at least one academic year of full-time enrollment at the certifying institution; and
  - Have achieved a cumulative grade-point average (GPA) of at least 3.300 (on a 4.000 scale) at the certifying institution.

Determining a Counter - Noncounters

- Injured or ill - Bylaw 15.5.1.3.
  - Student-athlete must be injured or ill to the point he or she apparently never again will be able to participate in intercollegiate athletics.
  - Takes effect the following academic year, unless the injury or illness occurs prior to participation in countable activity in the sport in the current year.
  - Similar application for permanently ineligible students (Bylaw 15.5.1.7).

Determining a Counter - Noncounters

- Eligibility exhausted - Bylaw 15.5.1.6.
  - Effective for the academic year(s) after completing eligibility.
  - Student-athlete must be otherwise eligible for the aid and may practice only if there is time remaining on the five-year clock.
  - Special application in cross country/track and field.
    - Student-athlete is not a counter if:
      - He or she has exhausted eligibility in one of the three sports; and
      - Does not practice or compete that year in either of the two sports in which he or she has eligibility remaining.

Team Limits

- Head-count sports.
  - Regardless of the amount of aid received, each counter is tallied as one grant-in-aid.
    - Initial counter rule for FBS football.
- Equivalency sports.
  - Each team has a maximum number of full grant-in-aid (FGIA) equivalencies.
  - The team's maximum number of equivalencies may be divided among multiple student-athletes.
    - Initial counter rule for FCS football.
    - Overall counter rule for FCS football and ice hockey.
    - Overall counter rule and minimum equivalency rule for baseball.

Head-Count Sports

- Men's basketball. 13
- Women's basketball. 15
- Women's gymnastics. 12
- Women's tennis. 8
- Women's volleyball. 12

Football

- Football.
  - Football Bowl Subdivision (FBS).
    - Head-count sport.
    - 85 total counters (including initial counters).
    - 25 initial counters.
  - Football Championship Subdivision (FCS).
    - Equivalency sport.
    - 63 equivalencies to 85 total counters (including initials).
    - 30 initial counters.
- See Bylaw 15.5.6.3 for initial counter information.

Men's Equivalency Sports

- Baseball. 11.7
- Cross country/track and field. 12.6
  - Cross country. 5.0
- Fencing. 4.5
- Golf. 4.5
- Gymnastics. 6.3
- Lacrosse. 12.6
- Rifle. 3.6
- Skiing. 6.3

Men's Equivalency Sports

- Soccer. 9.9
- Swimming. 9.9
- Tennis. 4.5
- Volleyball. 4.5
- Water Polo. 4.5
- Wrestling. 9.9

Ice Hockey and Baseball

- Ice hockey - Bylaw 15.5.7.
  - 18 equivalencies.
  - 30 total counters.
- Baseball - Bylaw 15.5.4.
  - 11.7 equivalencies.
  - Minimum equivalency value of 0.25 for each counter.
    - Affects student-athletes initially enrolling full time at a four-year college on or after August 1, 2008.
    - Does not apply to institutions who award athletics aid based solely on demonstrated financial need.
  - 30 total counters for 2008-09.
  - 27 total counters beginning with 2009-10.

Women's Equivalency Sports

- Archery. 5
- Badminton. 6
- Bowling. 5
- Cross country/track and field. 18
  - Cross country. 6
- Equestrian. 15
- Fencing. 5
- Field hockey. 12
- Golf. 6
- Lacrosse. 12

Women's Equivalency Sports

Rowing.	20
Rugby.	20
Skiing.	7
Soccer.	14
Softball.	12
Squash.	12
Swimming.	14
Synchronized swimming.	5
Team handball.	10
Water polo.	8

Equivalency Computations

- Bylaw 15.5.3.2.
- Averaging.

$$\frac{\text{Average amount of countable aid received.}}{\text{Average value of institution's FGIA.}}$$

- Actual.

$$\frac{\text{Actual amount of countable aid received.}}{\text{Actual value of institution's FGIA.}}$$

- May not use one method in the numerator and the other method in the denominator.

CASE STUDIES

Big-Time University (BTU)

- FGIA, in-state. $14,000
- FGIA, out-of-state. $20,000
- Cost of attendance (COA), in-state. $16,000
- COA, out-of-state. $22,000

Case Study #1 - Jennifer

- Jennifer is a nonrecruited, in-state, second-year soccer student-athlete. She receives a $3,000 scholarship from the state. The state provides funds for these scholarships to state institutions for all qualified in-state residents but the institution determines the amount of the scholarship received by those who qualify.
- Jennifer's parents pay the rest of her expenses to attend BTU.

Jennifer's financial aid worksheet

State scholarship.	$3,000
Parental contribution.	$10,000
Total aid.	$13,000

Case Study #1 – Questions

1. Is the state scholarship "outside aid"?

   No. The state scholarship is considered institutional financial aid because it is administered by the institution.

2. Has Jennifer triggered being a counter?

   Yes. Although she is not recruited, she is receiving institutional financial aid (i.e., state scholarship). So, unless the institution can certify the state scholarship was granted without regard in any degree to athletics ability, Jennifer is a counter.

Case Study #1 - Questions

3. Assuming Jennifer is a counter, what is her equivalency value?

Use the actual method:

Actual amount of student-athlete's countable financial aid received/actual value of student-athlete's FGIA.

$3,000 / $14,000 = 0.214

Case Study #1 - Questions

4. What if Jennifer was a nonrecruited student-athlete in the sport of women's basketball? Would she be a counter?

No, because she was not recruited. If she was recruited, she would have to count once she competed for the women's basketball program.

Case Study #2 - Katie

Katie is a recruited, out-of-state, first-year golf student-athlete. She won an essay competition that was open to all high school athletes and received a $20,000 scholarship. As her class valedictorian, she received a $2,000 scholarship from Richardson, Inc., a local business that has provided scholarships to valedictorians from her high school for the past 20 years.

Katie's financial aid worksheet

Scholarship from essay contest.	$20,000
Valedictorian scholarship.	$2,000
Total aid.	$22,000

Case Study #2 - Questions

1. Has Katie triggered being a counter?
   Yes. The essay competition was open only to high school athletes. Katie is recruited and is receiving outside financial aid for which athletics participation was a major criterion.
2. Does Katie's valedictorian scholarship have to count against the team limit?
   No. The valedictorian scholarship satisfies the academic honor award legislation (because she graduated in the upper 10 percent of her high school class) and; thus, only needs to be counted toward Katie's cost of attendance limit ($22,000), bringing her to the maximum amount of aid she can receive as an individual out-of-state student-athlete.

Case Study #2 - Questions

3. BTU's women's golf team renewed 5.50 equivalencies for the current academic year and Katie is the only student joining the team this year. With Katie on the team, does the team have room left in its financial aid limit to count Katie's aid?

   Use the actual method:

   Actual amount of student-athlete's countable financial aid received/actual value of student-athlete's FGIA.

   $20,000 / $20,000 = 1.0

Room left in team limit: 6.00 – (5.50 + 1.0) = -0.50 equivalencies

The women's golf team would be over by .50 equivalencies.

Case Study #2 - Questions

Note: Since the women's golf team only has room within its team limit to count 50 percent ($10,000) of Katie's major criterion award, Katie will have to decline the other half of this award.

4. What if Katie was a recruited student-athlete in the sport of women's tennis? Would she be a counter?

   Yes. Because she was recruited, her major criterion award would count against the women's tennis program.

5. If the women's tennis program has seven counters for 2008-09, does the team have room to count Katie's aid?

   Yes. She would count as one head count against the women's tennis team and the team would now be at its limit of eight counters.

Case Study #3 - Baseball

In addition to the 27 counters returning to BTU's baseball team, there are five new student-athletes on this year's team.

- Andy: A recruited, in-state, freshman. He signed an athletics aid agreement for $3,000 for the year.
- Brad: A recruited, 4-4 transfer from a neighboring state. He meets all transfer requirements and spent a year of full-time enrollment at the previous school. He has signed an athletics aid agreement for 25 percent of a FGIA for the year.
- Chris: A nonrecruited student who has been enrolled full time at BTU for the past two years. He has signed an athletics aid agreement for 10 percent of a FGIA for the year. His mom, employed for three years at BTU, qualifies for a dependent tuition benefit of $7,000 per year.

Case Study #3 - Baseball

- Dave: A nonrecruited, in-state, fourth-year student with a 4.000 GPA, Dave is the recipient of a $16,000 scholarship from BTU's engineering college. The scholarship competition is held annually and is open to engineering students with demonstrated financial need.
- Eddie: A nonrecruited, out-of-state, freshman who scored 28 on each of the four parts of his ACT, Eddie receives $12,000 in federal loans, as well as a $4,000 scholarship that BTU awards to all out-of-state freshmen who graduated in the top 25 percent of his or her graduating class and earned at least a 3.000 cumulative GPA in high school.

Case Study #3 - Questions

1. Which of the new team members are counters?

   Andy: $3,000 in athletics aid.

   Brad: 25 percent of a FGIA in athletics aid.

   Chris: 10 percent of a FGIA in athletics aid.

   Dave: None of his financial aid causes him to be a counter.

   Eddie: None of his financial aid causes him to be a counter.

2. Is the team in compliance with baseball's overall counter limit?

   Yes. 27 returning counters + three new counters = 30 overall counters.

   Note: The overall counter limit drops to 27 beginning in 2009-10.

Case Study #3 - Questions

3. What is each new counter's equivalency?

   Andy: $3,000 / $14,000 = .214

   Brad: 25 percent of a FGIA in athletics aid = .25

   Chris: .10 + ($7,000 / $14,000) = .60

   Chris' dependent tuition benefit must count because his mother has not yet been employed at BTU for five years.

Case Study #3 - Questions

4. Do the new counters' equivalencies comply with baseball's minimum equivalency value requirement?

   Andy: No. He must receive at least .25 in countable aid.

   Brad: Yes. He is receiving at least .25 in countable aid.

   Chris: Yes. Due to the inclusion of the institutional employee dependent tuition benefit, he is receiving at least .25 in countable aid.

Case Study #3 - Questions

5. The countable aid to the returning counters represents 11.00 equivalencies.

   After adding the new counters, is the team within its maximum financial aid limit?

Returning counters.	11.00
Andy.	.25 (he must receive at least this amount)
Brad.	.25
Chris.	.60
Total Equivalencies.	12.10

The team has exceeded its maximum financial aid limit by .40.

Case Study #4 - Football

Brady, a recruited, in-state, football student-athlete, has the following financial aid worksheet for the academic year:

Type of Aid	Amount
Full athletics grant-in-aid.	$14,000
Honorary academic award/ research grant.	$ 2,000
Work-study employment.	$ 2,000
Institutional academic scholarship.	$ 1,000

Case Study #4 - Questions

1. What aid may Brady receive?

	Type of Aid	Amount
☑	Full athletics grant-in-aid.	$14,000
☑	Honorary academic award/ research grant.	$ 2,000
☑	Work-study employment.	$ 2,000
	Institutional academic scholarship.	$ 1,000
	Total Accepted.	$16,000
	In-State FGIA.	$14,000
	In-State COA.	$16,000

Case Study #4 - Football

Honorary academic award/research grants are exempt from counting against team limits.

Brady's will count toward his individual limit, bringing him to $16,000, the maximum individual limit for an in-state student.

Work-study is treated as employment earnings. It does not count toward team or individual limits.

Brady will have to decline the $1,000 institutional academic scholarship since this would put him over the in-state cost of attendance limit.

Case Study #4 - Questions

2. Brady participated in 2008 preseason football practice activities and suffered a career-ending injury during the second day of preseason. May BTU exempt Brady's athletics aid for the 2008-09 academic year based on the medical noncounter legislation (Bylaw 15.5.1.3)?

   No. Because Brady participated in countable athletically related activities (preseason practice), BTU may not exempt his aid under the medical noncounter legislation until the 2009-10 academic year. Brady remains a counter for the football team for 2008-09.

Case Study #5 – FCS Football

Carson, a recruited, out-of-state, football student-athlete, initially enrolled at BTU during the 2007-08 academic year.

He did not receive any financial aid during 2007-08.

Carson was awarded an $8,000 academic scholarship from BTU for 2008-09 based on his academic record at BTU (3.500 GPA after his first year).

Case Study #5 - Questions

1. If he competes, will Carson become counter during 2008-09 based on his receipt of the institutional academic scholarship?

   No. Because Carson's only source of institutional financial aid is the academic scholarship and he satisfies the criteria to exempt the aid (per Bylaw 15.5.1.2.2).

Case Study #5 - Questions

2. During 2009-10 (his second year of enrollment), Carson receives a $10,000 athletics scholarship from BTU in addition to his $8,000 institutional academic scholarship.

   Is Carson a counter for the football team during 2009-10?

   Yes. He triggered counter status by receiving athletically related aid.

Case Study #5 - Questions

3. The football team already has 30 initial counters for 2009-10, not including Carson.

   Must Carson be counted as an initial counter during 2009-10?

   No. Because he has been in residence at BTU for two academic years and is receiving athletics aid for the first time in 2009-10, he does not have to count as an initial counter.

   However, he must count in the overall counter limit and toward the team's limit of 63 equivalencies.

Case Study #6 – Pell Grants

Hadley, a recruited, out-of-state, women's basketball student-athlete, has the following financial aid worksheet for the academic year:

Type of Aid	Amount
Athletics grant-in-aid.	$20,000
Academic honor award.	$2,000
Pell Grant (full).	$4,731

Case Study #6 – Questions

1. What aid may Hadley receive?

	Type of Aid	Amount
☑	Athletics grant-in-aid.	$20,000
	Academic honor award.	$2,000
☑	Pell Grant (full).	$4,731
	Out-of-state FGIA.	$20,000
	Out-of-state COA.	$22,000
	Pell exception for COA.	$24,731

Case Study #6 – Questions

2. What if Hadley was a student-athlete in the sport of swimming? What aid may she receive?

   The answer would be the same as Question No. 1 regardless of the sport she was participating in provided the team had room to count her full grant-in-aid toward the team's limit.

Case Study #7 – Pell Grants

Zeke, a recruited, in-state, men's cross country and track and field student-athlete, has the following financial aid worksheet for the 2008-09 academic year:

Type of Aid	Amount
▪ Athletics grant-in-aid.	$7,000
▪ Academic honor award.	$5,000
▪ Outside scholar-athlete award.	$4,000
▪ Supplemental Educational Opportunity Grant (SEOG).	$3,000
▪ Pell Grant (partial).	$3,000

Case Study #7 – Questions

1. If the cross country/track program is at 11 equivalencies for 2008-09, what aid may Zeke permissibly receive?

	Type of Aid	Amount
☑	Athletics grant-in-aid.	$ 7,000
	Academic honor award.	$ 5,000
☑	Outside scholar-athlete award.	$ 4,000
☑	SEOG.	$ 3,000
☑	Pell Grant (partial).	$ 3,000
	In-state FGIA.	$14,000
	In-state COA.	$16,000
	Pell exception for COA.	$17,000

Case Study #7 – Questions

2. The cross country/track program is at 12.1 equivalencies heading into the 2009-10 academic year. Zeke has the same financial aid package as 2008-09. Based on this information, what aid may Zeke actually receive?

	Type of Aid	Amount
☑	Athletics grant-in-aid.	$ 7,000
☑	Academic honor award.	$ 5,000 (only $4,000)
	Outside scholar-athlete award.	$ 4,000
☑	SEOG.	$ 3,000
☑	Pell Grant (partial).	$ 3,000
	Total.	$17,000

Case Study #7 – Questions

2. (Continued)

Zeke's equivalency totals .50 toward the cross country/track program; thus, the team is at its limit (12.6). Based on this, Zeke may not accept any more countable aid. The SEOG counts toward Zeke's individual limit. Accepting $4,000 of the academic honor award puts Zeke at $14,000 (the FGIA limit). Therefore, he may receive all of the Pell money that he is eligible for and may exceed COA based on the Pell exception.

Case Study #7 – Questions

3. After the 2009 cross country season, Zeke decides he wants to participate on the men's basketball team for 2009-10. The team is already at its limit of 13 counters. Is this permissible?

   No. The multisport participants legislation (Bylaw 15.5.9.2) specifies that a counter who practices or competes in basketball and one or more other sports (other than football) shall be counted in basketball. Since the basketball team is at its counter limit, Zeke may not practice or compete in basketball because this would cause the team to exceed its team limits.

QUESTIONS?

Timeline for Review of NCAA Division I Award, Benefits, Expenses and Financial Cabinet Priorities

February 2009 – Review feedback from Cabinet Survey
▪ Begin to define the specific issues for review within the current financial aid model. ▪ Determine if financial aid hearing issues warrant best practices or legislative remedies
June 2009 – Engage a Focus Group in Discussion on Issues
▪ Finalize specific issues for review. ▪ Begin to develop a survey for feedback from constituent groups on these issues.
September 2009 – Finalize Survey and the Groups being Surveyed
February 2010 – Study Survey Results
▪ Develop potential concepts to address identified issues. ▪ Survey constituent groups on potential concepts.
June 2010 – Study Survey Results on Concepts
▪ Finalize concepts and propose legislation, if necessary.

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).

Excerpt from 2007 Financial Aid Workshop
Outreach to Financial Aid Community

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**: Subcommittee suggested the staff offer three sessions: (1) NCAA financial aid basics; (2) Best practices; and (3) Financial aid issues. **2007 seminars**: Best practices for certifying outside awards was focus of Advanced Financial Aid session. **2008 seminars**: Best practices for hearing opportunities and renewal/nonrenewals was focus of Advanced Financial Aid session. **9/08**: Best practices document for conducting hearing opportunities was created by staff and is currently under review by new cabinet.

	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**: Subcommittee suggested the staff attend the National Association of Student Financial Aid Administrators (NASFAA) national convention and conduct videoconferences during the NASFAA regional conventions.
	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 outside financial aid organizations.	Partner with 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 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 NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet.	**L**	21.7.6.2.1	**9/08**: Two financial aid officers with voting privileges appointed to serve on the NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet.
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 commingle NCAA financial aid applications with institutional financial aid applications.	**C**		

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