A G E N D A

National Collegiate Athletic Association
Division I Board of Directors

Gaylord National Resort & Convention Center — January 17, 2009
National Harbor, Maryland — 8 a.m. – 5 p.m.

NOTE: The Board is scheduled to participate in the following functions with other Division I governance bodies in advance of the Board of Directors meeting:

Board of Directors/Leadership Council/Legislative Council Luncheon
Friday, January 16 (11:30 a.m. – 1 p.m.)

Joint Division I Student-Athlete Advisory Committee/
Board of Directors Breakfast Saturday, January 17 (8 – 9:30 a.m.)

1. Opening remarks.

2. Minutes of the October 29 – 30, 2008, Board of Directors meeting. [Supplement No. 1] [**Anticipated Action Item]**

3. Report of the October 30, 2008, meeting of the NCAA Executive Committee. [Supplement No. 2] [No action anticipated.]

4. NCAA president's report. [No action anticipated.]

   - Status report regarding Youth Basketball Initiative.
   - Head Coaches Academic Progress Rate Initiative.

5. Litigation update. [Supplement No. 3 will be distributed at the meeting.] [No action anticipated.]

6. Governmental relations report. [Supplement No. 4] [No action anticipated.]

7. Report of the Division I Presidential Advisory Group January 12 conference call. [Supplement No. 5. An addendum will be distributed at the meeting.] [No action anticipated – report by Bruce Grube, chair.]

8. Task Force on Commercial Activities – Principles. [Supplement No 6; An addendum will be distributed at the meeting.] [Anticipated to refer report to the Leadership Council]

9. Update on the work and recommendations of the Men's Basketball Academic Enhancement Group. [Supplement No. 7] [No action anticipated.]

10. Status report on the efforts of the Football Academic Working Group. [Supplement No. 8] [No action anticipated.]

11. Report from the Working Group Examining Issues Associated with Academic Risk. [Supplement No. 9 will be distributed at the meeting.] [No action anticipated – report by Sidney McPhee, chair.]

12. Division I Governance Structure Update.

    a. Update from the substructure, including a report from the Communications and Coordination Committee. [Supplement No. 10] [No action anticipated.]

    b. Report of the January 15, 2009, Division I Leadership Council. [Supplement No. 11. An addendum will be distributed at the meeting.] [No action anticipated.]

    c. Report of the January 14 – 15, 2009, Division I Legislative Council. [Supplement No. 12. An addendum will be distributed at the meeting.] [Anticipated Action Item]

        (1) Possible emergency/noncontroversial legislation.

        (2) Proposals of potential interest to the Board of Directors.

        [Note: As a reminder, at its January 14 – 15 meeting, the Legislative Council will be responsible for considering, and ultimately voting on, all legislative proposals being considered in the annual legislative cycle. Proposals receiving at least two-thirds support by the Legislative Council at that meeting will be

considered adopted but that action will not be considered final until after the conclusion of the Board of Directors January 17 meeting, to help ensure the Board has the appropriate level of oversight. Therefore, pursuant to this process, the Board has the authority to consider any proposal adopted by the Legislative Council but is not required to examine every adopted proposal. The intent of this process is to allow the Legislative Council to take the final action on the day-to-day legislative matters necessary for the efficient management of Division I, and to leave to the discretion of the Board the authority to address the broader legislative issues facing the division. The Presidential Advisory Group can assist the Board in identifying legislative issues appropriate for Board review and possible action.]

(2) Report of legislative proposals adopted by the Legislative Council.

d. Modification to Bylaw 32.6.2.

13. New NCAA Sportsmanship Initiatives. [Supplement No. 13 will be distributed at the meeting.] [No action anticipated.]

14. Update regarding championships travel initiatives. [Supplement No. 14] [No action anticipated.]

15. Future meeting dates.

a. April 30, 2009, National Office, Indianapolis, Indiana.
b. August 6, 2009, National Office, Indianapolis, Indiana.
c. October 29, 2009, National Office, Indianapolis, Indiana.

16. Adjournment.

MINUTES OF THE

NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

DIVISION I BOARD OF DIRECTORS

NCAA National Office
Indianapolis, Indiana

October 29 - 30, 2008

Participants:

Michael Adams, University of Georgia, Southeastern Conference
Charles Bantz, Indiana University-Purdue University at Indianapolis, Summit League
James Barker, Clemson University, Atlantic Coast Conference (chair)
William Beauchamp, University of Portland, West Coast Conference
Frank Brogan, Florida Atlantic University, Sun Belt Conference
Robert Bruininks, University of Minnesota, Big Ten Conference
Bruce Grube, Georgia Southern University, Southern Conference
Robert Kustra, Boise State University, Western Athletic Conference
Kevin Mullen, Siena College, Metro Atlantic Athletic Conference
Harvey Perlman, University of Nebraska, Big Twelve Conference
John Peters, Northern Illinois University, Mid-American Conference
Thomas Powell, Mount St. Mary's University, Northeast Conference
Shirley Raines, University of Memphis, Conference USA
David Schmidly, University of New Mexico, Mountain West Conference
Nancy Zimpher, University of Cincinnati, Big East Conference
S. David Berst, NCAA
Myles Brand, NCAA
Beth DeBauche, NCAA, recording secretary
Bernard Franklin, NCAA

[NOTE: Anthony Di Giorgio, Winthrop University, Big South Conference was unable to participate. Edward Ray, Oregon State University, Pacific-10 Conference participated via onference call.

Also in attendance were Damon Evans, University of Georgia, Southeastern Conference, chair of the Division I Leadership Council and Joe D'Antonio, Big East Conference, chair of the Division I Legislative Council.

NCAA staff members Scott Bearby, Erik Christianson, Elsa Cole, Joni Comstock, Megan Coyne, Julie Cromer, Dennis Cryder, Abe Frank, Lynn Holzman, Michelle Hosick, Jim Isch, Tom Jernstedt, Kevin Lennon, Steve Mallonee, Delise O'Meally, Tom Paskus, Todd Petr, Bill Regan, Wallace Renfro, Greg Shaheen, Robert Vowels, Charlotte Westerhaus and Bob Williams were also present during portions of the meeting.

[NOTE: Please refer to the report of the October 29 - 30, 2008, Division I Board of Directors meeting for the actions taken (formal votes or "sense of the meeting"), in accordance with the NCAA policy governing the minutes of all Association entities. While certain items on the Board's agenda were acted upon at various times throughout the meeting, all final actions within a given topic are combined in the report for convenience of reference. The information contained in this document includes only those items that are not contained in the report of the Board of Directors (Attachment No. 1).]

Session 1

The meeting was called to order at 6:40 p.m. on October 29, 2008, by the chair, President Barker. All were present as noted above.

1. Opening remarks. James Barker welcomed the members to this special session.

2. **Presentation and discussion regarding value-based decision making.** Myles Brand led this discussion for the Board. Greg Curtner was also introduced to the group.

Session 2

The meeting was called back to order at 8 a.m. on October 30, 2008, by the chair, President Barker. All were present as noted above.

1. Opening remarks. James Barker acknowledged David Schmidly who was in attendance at his first Board of Directors meeting and welcomed Joe D'Antonio the new chair of the Division I Legislative Council.

2. Executive Committee. Staff liaisons Bernard Franklin and Delise O'Meally provided a review of the committee's August 7, 2008, meeting along with a preview of the committee's October 30, 2008, meeting.

3. President's Report. NCAA President Myles Brand provided his quarterly report to the Board of Directors, in which he discussed, among other things, the work of the Task Force on Commercial Activity in Intercollegiate Athletics and the ongoing efforts to address the problem of negative fan behavior.

4. **Litigation Update.** Elsa Cole, general counsel, provided this report to the Board.

5. **Governmental relations report.** NCAA Managing Director for Governmental Relations Abe Frank presented this report.

6. **Report from the Division I Committee on Infractions and the Infractions Appeals Committee.** Former Committee on Infractions chair and University of Nebraska law professor Jo Potuto and attorney Chris Griffin, chair of the Infractions Appeals Committee, provided the Board with an overview of the committees' charge and reviewed a number of suggested procedural changes.

7. **Report of the Division I Presidential Advisory Group (PAG).** The Division I Presidential Advisory Group chair, Bruce Grube, provided an overview of the group's October 29, 2008, meeting.

8. **Report of the Committee on Academic Performance (CAP)**. Walter Harrison, as chair of the Committee on Academic Performance, presented this report. Additionally, Kevin Lennon, Todd Petr, Julie Cromer, and Diane Dickman of the NCAA staff were present to assist President Harrison in discussing the committee's work.

9. **Overview of the preliminary efforts of the Basketball Academic Enhancement Group.** Staff liaison David Berst provided an overview of the Basketball Academic Enhancement Groups efforts and he explained that the group hopes to provide recommendations to the Board for review by April 2009.

10. **News from the Division I Governance Structure.** Damon Evans, chair of the Leadership Council and the Communications and Coordination Committee, provided the Board with an update from the new governance structure.

11. **Report of the October 20-21, 2008, Division I Legislative Council.** Joe D'Antonio, as the new chair of the Legislative Council, presented the report from the Legislative Council's first meeting.

12. **Legislative issues of interest in the 2008-09 annual cycle**. Staff liaison Beth DeBauche reviewed the new legislative process with the Board and highlighted a few legislative

proposals in the 2008-09 legislative cycle that appeared to rise to the level of presidential interest.

13. **Proposal No. 2007-109 Executive Regulations – NCAA Properties and Marketing Restrictions – Exception for Institutions Participating in NCAA Championship Events – Number of and Access of Videographers and Photographer.** NCAA Senior Vice President Greg Shaheen updated the Board regarding efforts to reach a compromise policy regarding the use of video and access for videographers at NCAA Championships under current legislation.

14. **Financial Overview.** NCAA senior vice president for administration and CFO Jim Isch provided an update regarding the general financial landscape for intercollegiate athletics in these volatile financial times.

15. **Update regarding championships travel initiatives.** Senior Vice President for Championships and SWA Joni Comstock and Managing Director Dave Schnase shared information about initiatives that have been, and will be, considered to address difficulties and expenses associated with championships travel.

16. **Appeal from the University of California – Davis.** Staff liaison David Berst reviewed correspondence and pertinent points submitted by the University of California – Davis related to the university's request to receive a portion of the Division I broad-based revenue distribution.

17. **Adjournment**. President Barker adjourned the meeting at 2:45 p.m.

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MINUTES OF THE

NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

EXECUTIVE COMMITTEE

NCAA National Office
Indianapolis, Indiana

October 30, 2008

Participants:

Michael Adams, University of Georgia, chair
Charles Bantz, Indiana University-Purdue University at Indianapolis
James Barker, Clemson University
Debbie Chin, University of New Haven
Damon Evans, University of Georgia
John Fry, Franklin & Marshall College
Bruce Grube, Georgia Southern University
Stephen Jordan, Metropolitan State College of Denver
Robert Kustra, Boise State University
Del Malloy, Salve Regina University
Harvey Perlman, University of Nebraska, Lincoln
John Peters, Northern Illinois University
Beverley Pitts, University of Indianapolis
Thomas Powell, Mount St. Mary's University
Shirley Raines, University of Memphis
Paul Trible, Christopher Newport University
Nancy Zimpher, University of Cincinnati
Myles Brand, NCAA
Bernard Franklin, NCAA
Delise O'Meally, NCAA, recording secretary

Anthony DiGiorgio, Winthrop University, was unable to participate. Edward Ray, Oregon State University, participated via telephone.

Also in attendance were: Gary Brown, director of NCAA News; Scott Bearby, managing director of legal affairs/associate general counsel; Erik Christianson, director of public and media relations; Elsa Cole, vice president of legal affairs/general counsel; Joni Comstock, senior vice president of championships/senior woman administrator (SWA); Dennis Cryder, senior vice president of branding and communications; Jim Isch, senior vice president of administration/chief financial officer (CFO); Tom Jernstedt, executive vice president; Kevin Lennon, vice president of membership services; Tom Paskus, principal academic research scientist; Todd Petr, managing director of research; Wallace Renfro, senior advisor to the NCAA president; Bob

Williams, managing director of public and media relations; David Berst, Daniel Dutcher and Mike Racy, NCAA governance vice presidents; and Beth DeBauche, Leah Nilsson and Terri Steeb, NCAA governance directors.

[Note: These minutes contain only actions taken (formal votes or stated "sense of the meeting") in accordance with NCAA policy regarding minutes of all Association entities. While certain items on the Committee's agenda were acted on at various times throughout the meeting, all final actions within a given topic are combined in these minutes for convenience of reference.]

The meeting was called to order at 3:20 p.m. by the chair, President Adams. All members were present as noted above.

1. Welcome and announcements. Adams welcomed members and staff to the meeting. He welcomed Pitts, the new Division II Presidents Council vice chair.

2. Approval of August 7, 2008, meeting minutes.

   It was VOTED

   "To approve the Executive Committee minutes of the August 7, 2008, meeting as distributed."

3. NCAA President's report.

   a. Executive session. The Executive Committee convened in executive session and received an update on the facility expansion.

   b. Football Limited Liability Company (LLC). The Committee also received a report from Jernstedt on a Football LLC established to centralize and improve football officiating. The framework of the LLC was developed in 2006 through collaboration with the Collegiate Commissioners Association (CCA) and the NCAA. A national coordinator was appointed to serve as a national spokesperson for college officiating issues; work directly with the college football community to accurately communicate officiating issues; create and develop national training programs; assign and evaluate postseason officiating crews; and coordinate national meetings of the college officiating community. Jernstedt noted positive reaction at the end of the first year. He also noted that the CCA has expressed interest in possibly establishing a similar LLC for basketball.

c. Officials' background check update. The Committee received an update on the NCAA game officials' background check program. The program has been in existence for several years and requires individuals officiating an NCAA Division I championship in the sports of baseball, men's basketball, men's ice hockey or women's basketball, or a postseason football bowl game, to agree to a background check every year. The Committee acknowledged the importance of consistency in the way background checks are conducted for all these sports and supported a recommendation that President Brand appoint a staff group to apply consistency. It also noted the need to expand the criteria used to determine eligibility to serve as an official by adding a financial element that may trigger further review. To this end, an individual's financial status and/or involvement in the casino industry may require additional review.

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

5. NCAA Division I Board of Directors and Divisions II and III Presidents Councils reports.

a. Division I Board of Directors. The Committee received an update on the actions of the Division I Board of Directors. These included:

1. Division I Committee on Academic Performance (CAP). Received a report from the CAP that it:

a. Reviewed graduation success rate (GSR) data, which show student-athletes continue to perform well in the classroom with more student-athletes graduating from college. The GSR data indicate that 79 percent of student-athletes in the 2001 cohort graduated.

b. Learned that preliminary academic progress rate (APR) data show encouraging news. The Board of Directors discussed the importance of sharing this good news with the media.

c. Agreed to sponsor legislation in the 2008-09 legislative cycle to require a two-year college transfer student to have his/her initial academic eligibility certified by the NCAA Eligibility Center prior to the end of the student-athlete's first regular academic term of full-time enrollment at a Division I institution.

d. Agreed to grant the CAP time to develop a mechanism to track the APR performance of head coaches and to engage coaches' associations in this discussion. As part of the discussion, the Board of Directors noted there may be more pressure placed on academic support personnel.

2. Division I Men's Basketball Academic Enhancement Group. Received a brief update on the work of the Division I Men's Basketball Academic Enhancement Group, which has been charged with, not only identifying characteristics that may improve the academic performance of Division I men's basketball student-athletes, but with suggesting changes that would enhance the academic performance of those student-athletes. The Board noted that the group is expected to have recommendations by April 2009 but that much work needs to be done, especially with regard to transfer students.

3. Report of the Division I Leadership and Legislative Councils. Received a report from the Division I Leadership Council. The chair of that group noted that there is a high level of enthusiasm regarding the new Division I governance structure. All of the cabinets and Councils have met to identify issues for the Division I agenda, and there has been a great focus on enhancing levels of coordination regarding addressing issues on the Division I agenda. The Board also received a report from the Division I Legislative Council. There are 68 proposals in the annual Division I legislative cycle, and the Board used its legislative authority to sponsor two proposals in this year's cycle.

4. Championships travel. Received a presentation from Joni Comstock and Dave Schnase in which they discussed recent travel industry trends and reviewed a series of recommendations designed to address concerns related to the high cost of championships transportation and the reduction in flight capacity.

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

1. Division II academic success rate (ASR). Recent data indicate that Division II student-athletes are graduating at about a 70 percent rate. Division II has collected ASR data for three years, which include transfer and nonscholarship student-athletes into the calculation and, as a result, reveal a more accurate picture for graduation rates than the federal graduation rate. For the three-year cohort, the ASR is 15 percentage points higher than the federal rate (70 percent versus 55 percent) and 16 points

higher for the entering class of 2001 (71 percent versus 55 percent). Additionally, for the last 10 years, Division II student-athletes have federal graduation rates that are significantly higher than their student-body counterparts. For the entering class of 2001, the difference was nine percentage points (55 percent to 46 percent).

2. 2009-12 Division II strategic plan. Endorsed the new 2009-2012 Division II strategic plan, which aligns with the Division II strategic positioning platform. As a result of that alignment, the division has developed five strategic goals for the next three years, which include (a) academics and life skills; (b) athletics operations and compliance; (c) game day and conference and national championships; (d) membership and positioning initiatives; and (e) diversity and inclusion. The updated Division II strategic plan will be distributed to the membership at the 2009 NCAA Convention.

3. Diversity issues. Division II has made a commitment to gender equity, and the Presidents Council has undertaken discussions to provide greater awareness of gender-equity issues within the division, along with the tools and resources available to member schools. The division also has spent time discussing challenges for Hispanic-serving institutions (HSI) in Division II. While the Division II Presidents Council will continue to promote gender-equity awareness among Division II chancellors and presidents and monitor Division II HSI challenges, it believes both issues deserve greater attention from an Association-wide perspective.

4. Division II elections. Jordan was re-elected to serve as chair of the Presidents Council for a second term in 2009. Additionally, the Presidents Council will have four new members in 2009: Philip Gerbino, University of the Sciences in Philadelphia; Judith Ramaley, Winona State University; Mickey Burnim, Bowie State University, and Carolyn Mahoney, Lincoln University. Tim Selgo, director of athletics, Grand Valley State University, was elected chair of the Division II Management Council. His term will begin immediately following the close of the Division II business session at the 2009 Convention.

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

1. White papers on membership growth. Reviewed the status of its series of white papers on the future growth of the division and agreed that the themes of the first two papers – (a) presidential leadership and (b) the philosophy and identity of Division III – are especially significant. The

Presidents Council agreed to seek ways for presidents to better manage the affairs of the division, both in terms of the structure and duties of the Presidents Council, and the more focused and effective involvement of Division III presidents at the Convention. Further, it noted that after several years of examining potential criteria that could divide the division, it now is time to share the many positive aspects of Division III through a marketing and branding initiative. This effort should emphasize the Division III philosophy, which was strongly endorsed in the spring membership survey.

2. Presidents Council nominations. Formally nominated four new members for terms beginning with the close of the 2009 Convention: James Schmotter, Western Connecticut State University (Little East Conference); Ron Thomas, University of Puget Sound (Northwest Conference); James Bultman, Hope College (Michigan Intercollegiate Athletic Association); and Kendall Baker, Ohio Northern University (Ohio Athletic Conference). It also approved its 2009 leadership: Paul Trible, Christopher Newport University, chair; and Jim Harris, Widener University, vice chair.

3. Budget and strategic plan. Received a report from the Strategic Planning and Finance Committee regarding the final 2007-08 budget-to-actual, as well as 2008-09 projections. It also acknowledged that, as part of its strategic plan review, the division will engage in a comprehensive evaluation of all Division III programs supporting diversity and gender equity.

4. Drug education and testing pilot update. Received a report on its drug education and testing pilot. At the midpoint of this two-year pilot, the four emerging issues are the levels of self-reported substance use; student-athlete consensus on drug testing; differences in use patterns inside and outside of the playing season; and alignment of drug-testing results and self-reported substance abuse across terms. The pilot's final report will be issued in the fall of 2009.

6. NCAA Executive Committee Subcommittee on Gender and Diversity Issues.

a. The Committee received a report from the Executive Committee Subcommittee on Gender and Diversity Issues that included an update on the recommendations from the Diversity Leadership Strategic Planning Committee. The subcommittee noted four key areas of focus: (1) fostering the diversity of student-athletes; (2) promoting a climate of inclusion; (3) recruitment hiring and retention; and (4)

supporting, integrating, and promoting women's sports. The subcommittee noted that progress is being made in all areas of oversight.

b. It reviewed a report from the NCAA Committee on Women's Athletics. The subcommittee reviewed research reports that indicate high school participation data and preliminary NCAA Gender Equity Report statistics show fairly flat participation improvements for women, and decreases in operating and recruiting expenses for women's teams in Division I. The subcommittee also reviewed a report from the NCAA Minority Opportunities and Interests Committee (MOIC) and noted some concern related to the lack of diversity within governance committees and the overall lack of racial/ethnic minority athletics administrators at NCAA member institutions. It also discussed the issue of sudden cardiac arrest and the disparate impact this disease has on student-athletes of color. The subcommittee noted that MOIC will continue to discuss this issue.

c. The subcommittee continued its discussion on several issues surrounding gender and diversity. The subcommittee noted that data support the notion that in Division II, while the number of women participating in sports has increased, it has not increased in proportion to participation rates for men. In fact, in recent years, the trend seems to indicate a greater number of male sports being added, thus offsetting any gains for female athletes. Additionally, a demographic shift in certain regions of the country indicates an increase in the Hispanic/Latino population, and, therefore, an increasing number of Hispanic-serving institutions. This shift suggests the need for an exploration of how the NCAA can impact the Hispanic/Latino community in a way that eventually will lead to more Hispanic/Latino student-athletes, graduates, coaches and athletics administrators in the future. The subcommittee requested additional research on these issues and will continue these discussions from an Association-wide perspective during its next meeting.

d. Finally, the subcommittee noted that Antoine Garibaldi, president of Gannon University, received a waiver of Division II Presidents Council policies and procedures to continue to serve as chair of the subcommittee through 2009. Garibaldi's term on the Division II Presidents Council ends at the close of the 2009 Convention.

7. Other business. The Executive Committee reviewed a request from a Division I conference to permit absentee voting at the NCAA Convention. Pursuant to its authority to address Association-wide matters, the Committee affirmed the current policy that requires institutions to be present at the Convention in order to register a vote.

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

9. Adjournment. Adams adjourned the meeting at 4:45 p.m.

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CONFIDENTIAL ATTORNEY/CLIENT PRIVILEGED

MEMORANDUM

January 9, 2009

TO: NCAA Division I Board of Directors and Divisions II and III Presidents Councils.

FROM: Elsa Kircher Cole, Vice President of Legal Affairs/General Counsel.

SUBJECT: Summary of Legal Activity.

The following is a summary of significant legal activity in which the NCAA is or has been involved since last reported in October, 2008.

The NCAA is currently a defendant in 14 active cases. No new cases were filed this quarter, one case was resolved favorably.

Resolutions

On November 20, 2008, the court in the Ben Mauk, football student-athlete case denied the plaintiff's motion for contempt. The court had previously granted the NCAA's motion to dismiss on September 9, 2008.

Recent Developments

The court granted the NCAA's motion to transfer venue in the *George* potential class action lawsuit. The case, which alleges that the NCAA's ticket distribution method for the Division I men's and women's basketball championships and men's ice hockey championships is an illegal lottery, has been transferred from federal court in Los Angeles to the federal court in Indianapolis.

On January 5, 2009, the permanent injunction hearing began in the *Andrew Oliver* case in state court in Ohio. Oliver, a baseball student-athlete at Oklahoma State University (OSU), is challenging the NCAA's agent rule and procedures followed in the NCAA's investigation of his contact with a major league team. OSU was briefly added as a defendant, but was dismissed.

EKC:lev

cc: Selected NCAA Staff Members.

NCAA Government Relations Report
(December 2008)

1. Congressional Overview.

The recent election on November 4, 2008, signaled the end of one of the most historic and hard fought election cycles in recent memory. With an anticipated Electoral College vote of 365-173, the nation elected Senator Barack Obama (D-IL) as the 44th President and Senator Joseph Biden (D-DE) as Vice President of the United States. In addition to a victory in the Presidential election, the Democratic party also gained 22 seats in the US House and seven seats in the US Senate. Pending the resolution of one Senate contest and two House races, the Democratic party currently holds a 58-41 majority in the Senate and a 256-177 majority in the House. With Senator Saxby Chambliss (R-GA) emerging as the victor in a run-off Senate race, the Democrats will lack a filibuster proof majority when the 111th Congress convenes.

When the 111th Congress begins its work in early 2009, much of the House and Senate Democratic leadership will remain the same. Speaker Nancy Pelosi (D-CA), Majority Leader Steny Hoyer (D-MD), and Majority Whip James Clyburn (D-SC) will all return to their same posts. In the Senate, Majority Leader Harry Reid (D-NV) and Majority Whip Dick Durbin (D-IL) will also return to their leadership posts. While the Senate Republican leadership will remain largely unchanged with Senator Mitch McConnell (R-KY) returning as Minority Leader and Senator Jon Kyl (R-AZ) returning as Minority Whip, it is anticipated that the House Republican leadership will take on a different look. Minority Leader John Boehner (R-OH) will maintain his post, while Representative Eric Cantor (R-VA) will replace Representative Roy Blunt (R-MO) as Minority Whip.

In addition to selecting leadership for its party, the Democratic Caucus also voted to alter the leadership on several key committees during its organizational meetings. In a surprising challenge to the chairmanship of the House Energy and Commerce Committee, Representative Henry Waxman (D-CA) defeated the longest serving Member of the House of Representatives, Representative John Dingell (D-MI) by a Democratic Caucus vote of 137-122. This is an important development for sports organizations including the NCAA, as the House Energy and Commerce Subcommittee on Commerce, Trade and Consumer Protection has jurisdiction over sports-related matters. The departure of Representative Waxman as Chair of the House Oversight and Government Reform Committee has left a vacancy that has yet to be filled. In other developments, Senator Daniel Inouye (D-HI) will replace Senator Robert Byrd (D-WV) as Chair of the Senate Appropriations Committee and Senator John D. Rockefeller (D-WV) will replace Senator Inouye as Chair of the Senate Commerce Committee.

When the 111th Congress convenes on January 6, 2009, its priorities will reflect those highlighted in the 2008 election. The economy is expected to be the top item on the agenda for the next Congress. Members will likely consider an economic stimulus package very early upon their return. Other policy issues of importance include, federal funding for stem-cell research, the enhancement of the children's health insurance program and clean-air regulations.

2. Federal Issues.

a. Bowl Championship Series (BCS).

Prior to and shortly after the election, President-elect Obama expressed his displeasure with the current structure of the Bowl Championship Series (BCS). In two nationally televised interviews, President-elect Obama discussed his desire to see the post-season of the Football Bowl Subdivision altered to include an eight-team playoff system. With those sentiments, four Members of Congress found a strong ally in seeking a change to the current post-season football agreement.

On April 17, 2008, Representative Neil Abercrombie (D-HI), Representative Lynn Westmoreland (R-GA), Representative Mike Simpson (R-ID) and Representative Jim Matheson (D-UT) introduced H. Res. 1120. This non-binding resolution rejects the current BCS structure as an illegal restraint of trade that violates the Sherman Anti-Trust Act. In addition, the resolution calls for an investigation by the Department of Justice's Antitrust Division, aimed at declaring the BCS illegal and requiring a Football Bowl Subdivision Championship playoff system. Following President-elect Obama's comments, H. Res. 1120 was resubmitted for consideration. In addition, a letter was sent from the sponsors of the proposal to President-elect Obama, updating him on their policy efforts. To date, the measure has not received any additional legislative attention.

On a related note, the new agreement between ESPN and the BCS has also raised concern in Washington. Following the release of the $500 million deal to broadcast the Bowl Championship Series from 2011 through 2014, reports surfaced that the National Association of Broadcasters (NAB) would lobby policymakers to seek free access to premier televised sports events. According to NAB's estimates, by televising the popular BCS games on a cable network, nearly 20 percent of the

country will not have the ability to watch those games. This has also drawn the attention of FCC Chairman Kevin Martin, who has previously pushed for cable a la carte programming due to ever increasing prices of cable services.

b. White Spaces.

Over the last several months, the NCAA and the professional sports organizations continued to express a unified concern regarding the potentially negative consequences of proposed rules that would allow new unlicensed devices to fill "white spaces" within the current broadcast spectrum. There was great concern by our broadcast partners and others that such interference from unlicensed devices in the spectrum could knock out wireless microphones and disrupt headsets used during our games.

Despite the efforts of the sports leagues and other interested parties, the FCC adopted rules to allow unlicensed devices to operate in the TV white spaces. However, the new rules also include numerous safeguards aimed at protecting devices from interfering or disrupting TV service, wireless microphones, or other permitted uses of the spectrum. The NCAA and its partners in this effort will continue to monitor developments in this area and will provide input when appropriate during the implementation of this ruling.

c. Internet Gambling.

In October 2006, President George W. Bush signed the SAFE Port Act into law, which included language from the Unlawful Internet Gambling Enforcement Act (UIGEA). UIGEA seeks to cut off the flow of revenue to unlawful Internet gambling businesses by prohibiting anyone engaged in the business of betting or wagering from knowingly accepting credit, electronic fund transfers, checks, drafts, or similar financial instruments in connection with unlawful Internet gambling.

The Act also mandates that the Secretary of Treasury and the Board of Governors of the Federal Reserve System prescribe regulations requiring designed payment systems and financial transaction providers to establish policies and procedures designed to identify and block restricted transactions. The Treasury Department and the Federal Reserve System, in consultation with the Justice Department, issued proposed regulations for banks, credit card issuers and other payment systems on

October 4, 2007. While the comment period ended on December 12, 2007, the Treasury Department and Federal Reserve did not issue a final rule implementing the 2006 Act until November 12, 2008. Companies have until December 1, 2009, to comply with the new rule.

Despite issuing these final rules, it is expected that there will be attempts during the 111th Congress to undo many of the regulations put in place under UIGEA. The NCAA will continue to monitor any future developments on this matter and work to ensure that college athletes and the integrity of collegiate competitions are protected from the ills associated with illegal gambling.

3. State Issues.

a. Delaware-Sports Wagering.

During the last several years, the Delaware legislature has examined the feasibility of reintroducing a sports wagering scheme in the State. As one of four states grandfathered under the Professional and Amateur Sports Protection Act (PASPA), Delaware is permitted to conduct a wagering scheme on collegiate and professional sporting contests. With members of the Delaware legislature on both sides of this issue, outgoing Governor Ruth Ann Minner was a central figure in the legislatures inability to pass legislation that would again allow sports wagering within its borders.

With a projected $300 million deficit and growing concern about lost revenues from the passage of a referendum which will allow slot machines in neighboring Maryland, it is expected that budget issues will dominate the agenda this year. Newly elected Governor Jack Markell (D) and a Democratic majority in both legislative chambers are expected to again consider sports betting as a way to address these concerns.

NCAA Government Relations staff will continue to monitor future developments on this issue in Delaware. We will continue to work with a coalition of interested groups to educate policymakers on the dangers involved with wagering on athletic competitions.

b. Higher Education Associations.

NCAA government relations staff continues to build strong relationships with various higher education associations. The American Council on Education (ACE), the Association of American Universities (AAU), the National Association of State Universities and Land Grant Colleges (NASULGC), and the National Association of Colleges and University Business Officers (NACUBO) among others, continue to provide guidance and support on issues of common interest. The NCAA government relations staff looks forward to continuing these mutually beneficial relationships to better formulate and further the NCAA's legislative goals.

REPORT OF THE JANUARY 12, 2009, CONFERENCE CALL OF THE DIVISION I PRESIDENTIAL ADVISORY GROUP

Participants:

Charles Bantz, Indiana University/Purdue University – Indianapolis
Al Bowman, Illinois State University
Robert Caret, Towson University
Rebecca Chopp, Colgate University
Anthony DiGiorgio, Winthrop University
William Beauchamp, University of Portland
Philip Dubois, University of North Carolina, Charlotte
Robert Fisher, Belmont University
Bruce Grube, Georgia Southern University (chair)
Walter Harrison, University of Hartford,
William (Bill) Meehan, Jacksonville State University
Ann Millner, Weber State University
Kevin Mullen, Siena College
Thomas Powell, Mount St. Mary's University
David Sweet, Youngstown State University
Randall Webb, Northwestern State University
S. David Berst, NCAA
Beth DeBauche, NCAA, recording secretary

Presidential Advisory Group members unable to participate were:, Milton Gordon, California State University, Fullerton; William Harvey, Hampton University; Ronald Mason, Jr., Jackson State University; and James Wright of Dartmouth College.

Participating during portions of the conference call were NCAA staff members: Steve Brown, Joni Comstock, Diane Dickman, Bernard Franklin, Kevin Lennon, Steve Mallonee, Delise O'Meally, and Wallace Renfro.

1. Opening remarks. The chair recognized the new members to the Presidential Advisory Group.

2. **Report of the October 29, 2008, Division I Presidential Advisory Group conference call and highlights from the October 30, 2008, Division I Board of Directors meeting**. The group briefly reviewed actions from the October 30, 2008, Division I Board of Directors meeting relative to issues discussed by the Division I Presidential Advisory Group (PAG) during its meeting on October 29, 2008.

3. **President's report.** Wallace Renfro, senior advisor to the president, provided a few comments to the group. Additionally, Walter Harrison, chair of the Committee on Academic Performance and member of this Board subcommittee exploring the concept of an Academic Performance Coaches Rate, informed the group that the subcommittee is recommending that the Board approve the development and implementation of a publicly available Web site search that provides for each Division I head coach the APR "lifetime batting average" accounting for all head coaching years; and each year, school and APR used to create this "lifetime" running rate. He also noted that the subcommittee had discussed the concept of developing a secure Web site that would provide academic and other information specific to head coaches that could be reviewed by select institutional personnel, but that given the costs and complexity of such an initiative, the subcommittee is not recommending immediate development of such a Web site. The subcommittee is recommending that the Board charge the staff with conducting a feasibility study regarding implementation of this initiative including the idea of beginning to collect data, but not implementing until a future date.

   While the PAG did not take a formal vote, members indicated support for the subcommittee's approach and recommendation. The PAG members suggested that the public Web site should be implemented as soon as possible using all available data.

4. **Review of the agenda for the January 17, 2008, Board of Directors meeting**.

   a. Update on the work and recommendations of the Men's Basketball Academic Enhancement Group. The group was informed that the BAEG, at its meeting on December 3, agreed to modify a few of its preliminary recommendations. Specifically, it was reported that rather than recommending mandatory summer school for all incoming men's basketball student-athletes, the group has shifted its focus to recommending mandatory summer school based on the academic profile and academic performance of individual student-athletes and institutional teams. The details regarding impacted students and programs still need to be developed, but the BAEG has expressed preliminary interest in requiring summer school for entering student-athletes who are determined and defined by the institution to be "at risk." The BAEG is also discussing a similar concept for continuing student-athletes in the summer immediately following their initial year of enrollment. The PAG was interested to learn that the BAEG is still supportive of the "access" concept, although individual members expressed concerns over the arguable appearance of rewarding programs that have low academic achievement.

      Additionally, the PAG was informed that the BAEG is not recommending any changes in the APR calculation in men's basketball at this time, but asked the 0 for 2 subcommittee to continue its work, which it has, and as a result, the subcommittee

has revised its recommendations regarding APR adjustments and waivers. Further, it was reported that the BAEG is examining the concept of a "year of readiness" for both student-athletes initially enrolling and two-year college transfer student-athletes. The PAG asked to receive an update on the ongoing work of the BAEG at its April 2009, meeting.

b. **Status report on the efforts of the Football Academic Group**. The PAG was informed that this group, which is currently working in subcommittees, is taking a deliberate approach to trying to address its important charge of trying to identify ways to improve the academic performance of football student-athletes. Accordingly, it is anticipated the FAWG will be able to provide a status report to the PAG in April, with more formal recommendations coming later in the year.

c. **Task Force on Commercial Activity – Statement of Principles**. The PAG learned that this task force, which was charged with seeking to find the balance point between the two extreme positions of unrealistic idealism and crass commercialism, has developed a set of principles for commercial activity to help further guide this important discussion. This statement of principles will be shared with the Board at its January meeting, and if generally accepted by the Board, it is anticipated that the Board will charge the Leadership Council with filling in the necessary and supporting details, including any recommendations for legislation. Any recommendations developed by the substructure will ultimately be reviewed at the presidential level, including the Presidential Advisory Group.

d. **Legislative Issues**.

(1) Review of the process regarding the override requests on Proposal No. 2007-30-C. The group members were provided a brief overview of the process to be used for considering the override requests on Proposal No. 2007-30-C. Additionally, the group was reminded that this proposal was intended to address concerns expressed about the proliferation of nonscholastic events conducted during the April contact period and the resulting consequences to the well-being of the prospective student-athletes who travel all over the country to participate in such events. Individual members shared their concern over the override effort and stressed the importance of seeing the Board's adoption sustained.

(2) Review of legislative process and discussion of proposals that are of potential interest to the Presidential Advisory Group and the Board of Directors. The PAG members were reminded that at its January 14-15 meeting, the Legislative Council will consider and ultimately vote on, all legislative proposals being considered in the annual legislative cycle and that proposals receiving at least two-thirds support by the Legislative Council will be considered adopted, but

that action will not be considered final until after the conclusion of the Board of Directors January 17 meeting, to help ensure the Board has the appropriate level of oversight. Therefore, individual group members shared comments as follows:

(a) Proposal No. 2008-60 B. One member shared his conference's preference for alternative Proposal No. 2008-60–B over Proposal No. 2008-60-A. Proposal No. 2008-60-B specifies that the Administration Cabinet may deny an institution's advancement to active Division I membership for any Division II institution seeking reclassification to Division I or any provisional member seeking active Division I status, if any of the institution's sports programs are subject to penalties pursuant to the Academic Performance Program, applicable to institutions beginning the provisional or reclassifying process on or after August 1, 2009, rather than applicable to institutions in the provisional or reclassifying process as of that date.

(b) Proposal No. 2008-48. It was shared with the group that at its October meeting, the Board, in the course of reviewing Proposal No. 2008-48 – Playing and Practice Seasons – Baseball – Maximum Number of Contests – 52, noted there has been insufficient time to assess the impact of the baseball reform package. Individual members expressed varying opinions with regard to the Board's suggested approach but acknowledged the Board's position.

5. **Update regarding NCAA travel initiatives**. The PAG received an update on efforts made by staff and through the governance structure to address escalating costs and a reduction in capacity impacting NCAA championships travel. Specifically, they were informed that with 22 of 88 championships having been completed, there appears to have been some positive developments as a result of staff-driven and governance-approved changes. Examples cited include a reduction in commercial flights by 19 and a reduction of about $700,000 in the cost of charter flights. The PAG asked to receive updates regarding the impact of these changes.

6. **Review of 2009 Convention Events.** The PAG members were encouraged to attend the following events at the 2009 NCAA Convention:

Thursday, January 15

The Opening Business Session. (4 – 5:30 p.m. – Potomac A – B)

Delegates' Reception and Honors Celebration. (6 – 10 p.m. – Newseum)

Friday, January 16

Division I Issues Forum. (9:30 – 11:30 a.m. and 1 – 3 p.m. Woodrow Wilson A- B)
Board/Leadership Council/Legislative Council Luncheon. (11:30 a.m.–1 p.m. Baltimore 4–5)*
Division I Business Session. (3 - 3:30 p.m. Woodrow Wilson A- B)

Saturday, January 17

Joint SAAC/Board breakfast. (8 – 9:30 a.m. Cherry Blossom) *
Board of Directors meeting. (9:30 a.m. – 5 p.m. - Woodrow Wilson Room B – C)*

NOTE: *** BOD only**

7. **Plans for the April 29, 2009, in-person meeting of the Division I Presidential Advisory Group**. The group members supported inviting the conference commissioners to attend the April 29, 2009, meeting in Indianapolis.

   a. **Suggested discussion items**. There are a number of agenda items anticipated for the April meeting including: An update on actions taken at the 2009 NCAA Convention, news regarding the efforts of the Basketball Academic Enhancement Working Group, and the Football Academic Working Group. Additionally, the group should anticipate an update on the Youth Basketball Initiative and the ongoing discussion regarding the appropriate balance point for commercial activities in intercollegiate athletics. Further, the group members were asked to notify NCAA staff liaisons David Berst or Beth DeBauche with suggested agenda items.

   b. **Start thinking about selection of new chair**. The group members were informed that the chair's term will end at the conclusion of the April 30, 2009, meeting when he is scheduled to rotate off the Board of Directors. The group was reminded that in order to serve as chair, a member must also be a member of the Board of Directors. Interested representatives were encouraged to contact the chair directly to discuss the position.

Subcommittee chair: Bruce Grube, Georgia Southern University
Staff Liaisons: S. David Berst, Division I governance
Beth DeBauche, Division I governance

SUPPLEMENT NO. 6
DI Board of Directors 1/09

December 19, 2008

MEMORANDUM

TO: Board of Directors.

FROM: Graham Spanier, president Pennsylvania State University.
Chair of the Presidential Task Force on Commercial Activities in Intercollegiate Athletics.

SUBJECT: Process to consider final task force report.

The Presidential Task Force will present its final report at the Division I Board of Directors meeting on January 17. A copy of the report will be delivered to members of the Board shortly before the Convention or when you arrive on site.

The recommended process for consideration of the report will be for the Board, following your discussion in January, to request that the Leadership Council examine the details of the report, recommend possible implementation steps to the Board and manage tasks performed by other governance bodies as necessary in order to develop appropriate legislation for consideration by the Division I membership in the 2009-10 legislative cycle.

It should be noted that the task force continues to be steadfast in its support of amateurism and also believes it appropriate to establish a new peer review process that can monitor trends related to commercial activities and also act as arbiter for commercial advertising that could result in exploitation of student-athletes.

I hope this information is of assistance to you and conferences offices in advance of receipt of the task force report. I will represent the Big Ten Conference as an alternate at the Board's January meeting and look forward to our discussion of this topic.

GS:vlm

cc: Presidential Task Force on Commercial Act ivies in Intercollegiate Athletics.
Division I Leadership Council
Division I Presidential Advisory Group

ADDENDUM
SUPPLEMENT NO. 6
DI Board of Directors 1/09

Final Report of the NCAA Task Force on Commercial Activity in Division I Intercollegiate Athletics

Preamble.

In compliance with the charge of the NCAA Division I Board of Directors, the following is a report of the Board-appointed Task Force on Commercial Activity in Intercollegiate Athletics. It is submitted to the Board with the recommendation that it be forwarded to the Division I Leadership Council for a broad discussion, thorough vetting both within the governance structure and the membership, and the proposal of implementing legislation where clear parameters are apparent or of best practices where informed judgment and flexibility are favored. On the following pages are a discussion of the tension that exists in the higher education community and beyond regarding the nature of commercial activity in intercollegiate athletics; a historic perspective that explores the ambivalence among the concepts and practices of amateurism, professionalism and commercialism; the task force charge outlining the group's anticipated work product; and a set of recommended principles and guidelines that emerged from three in-person meetings of the group and numerous e-mail exchanges.

It is the overarching conclusion of the task force that for most Division I intercollegiate athletics programs, and for a growing number of other athletics programs, the need for revenue gained through commercial activity associated with intercollegiate athletics (including ticket sales, sale of merchandize, royalties from the sale of media rights, and the development of corporate sponsorships) is as essential to the successful future of the enterprise as is the continued integration of intercollegiate athletics with the values of higher education. While this is disheartening and even contradictory to some in higher education and public who wish intercollegiate athletics to be devoid of any and all commercial influences, commercially generated revenue is both necessary and appropriate as a means for holding the subsidization of athletics from a university's general funds within such bounds that academic mission and programs are not threatened. Indeed, revenue to offset the cost of equipment, personnel, travel and facilities acquired through commercial efforts is as historic as college sports itself.

However, there are two conditions commercial activity must meet to avoid compromising the relationship between intercollegiate athletics as an educational component of the university experience and higher education itself. First, commercial activity cannot abridge the principle of amateurism as applied to student-athletes, including their exploitation by commercial and professional interests. Second, it must comport with the values of higher education.

In the briefest of terms, there are also two conditions for the maintenance of amateurism as understood in the American collegiate model of athletics: (1) Student-athletes cannot financially benefit from their participation in intercollegiate athletics beyond grants-in-aid and other forms

of approved support allowed by NCAA regulations to promote student-athlete wellbeing, and (2) their motivation to play college sports should come primarily from the educational and physical benefits of participation. While these are the conditions *student-athletes* must meet to be amateurs, the principle of amateurism in the collegiate model also includes the responsibility of the NCAA, conferences and member institutions to protect student-athletes from exploitation by commercial and professional interests. In essence, the Association and its member conferences and institutions are charged with ensuring that student-athletes are not taken advantage of in ways that would violate their amateur standing or that threaten the educational advantage gained through participation.

As straight forward as all these conditions appear to be, they can prove to be elusive in their implementation, especially with regard to the increased association of commercial entities with intercollegiate athletics, the expansion of media platforms ranging from print to the Internet and "new media" initiatives, and the growth of intercollegiate athletics as programming inventory for various electronic media. A broadening in the relationship between higher education, intercollegiate athletics and commercial entities is not necessarily an issue for concern if the relationship respects the primacy of collegiate athletics as students, is reciprocal in nature, and the values of higher education are not abridged.

To that end, the NCAA Task Force on Commercial Activity in Intercollegiate Athletics in Division I was formed in June 2008 and charged to review the current rules and applications regarding such activity and to recommend a set of principles for consideration by the Association's governing structure that would guide future applications. Specifically, the task force was asked to find a balance point between the abandonment of all commercial activity in an effort to achieve an unrealistic sense of purity and the engagement of such crass commercialism that the differences that demarcate the collegiate and professional models of sport are lost.

Historic Perspective.

Intercollegiate athletics in the United States – a phenomenon unique to America – is a little more than 150 years old. The first recorded athletics contest between two institutions of higher education was conducted in 1852 and predates both the creation of the NCAA in 1906 and the development of national policy through NCAA regulation in 1921. Ironically, that first contest, a rowing regatta between the men of Harvard and the men of Yale August 3, 1852, does not predate the introduction of commercial activity associated with college sports. Indeed, the race came about at the urging of James Elkins, superintendent of the Boston, Concord and Montreal

Railroad in order to sell tickets to fans to travel and watch the contest. It was a commercial venture on the part of the railroad and its enterprising superintendent who understood the attraction of an athletics event between two of America's great institutions of higher education. Soon, stands at rowing regattas were being constructed "for those willing to pay 50 cents for a seat." Local businesses were advertising their services to fans and boosters. As other sports were added to the opportunities for intercollegiate athletics, the interest in tapping commercial resources to offset the cost of equipment, travel, room and board, and facilities – while often underwritten by the participants themselves – was increasing. Before the turn of the new century, running tracks were being constructed for collegiate competition; and soon after the dawning of the 20th century, the first football stadiums were built on campus. Where campus facilities did not exist, communities were vying for the opportunity to host intercollegiate events for the economic impact such contests would have on their businesses. The interest among students to participate in athletics against other students, the interest among fans and spectators to watch and root for their favorite sides, the interest of the media to report the results as news, and the interest of commercial entities to associate with and profit from the contests was fast established as a fact of the campus athletics experience and the American culture.

There is a temptation in the modern era of intercollegiate athletics to perceive that commercial activity is a recent development fostered by television and embraced by athletics administrators to swell coffers, build ever-expanding programs, and increase payrolls for coaches and other personnel. It is true that television has had an enormous impact on the exposure of intercollegiate athletics with the growing need to acquire programming inventory as broadcast platforms have mushroomed. First radio and then television clearly have added to the exposure of what once were regional match-ups so that an entire nation – and indeed, the world – understands the significance of regular-season contests between Michigan and Ohio State, Texas and Oklahoma, Alabama and Auburn, Notre Dame and Southern Cal. In fact, the Internet presents nearly unlimited access for even the smallest intercollegiate programs. But the presence of commercial activity within the context of intercollegiate athletics is as old as the enterprise itself and it is growing. Through marketing and promotion, the hype and drama associated with these games challenge anything that professional sports can offer. Because of the high interest, advertisers and marketers at local, regional and national levels are eager for an association with such events and with the institutions of higher education that sponsor the teams. Depending on the relative competitiveness or circumstances of the games, corporations are willing to pay premium prices for the opportunity to put their products before the eyes of an enormous audience across a broad spectrum of media.

Commercial activity associated with intercollegiate athletics is not new, and it is not going away.

Despite this simple truth, higher education, the media and the general public are ambivalent and confused about the relationship of commercial activity with intercollegiate athletics. Much of the confusion comes from a firm commitment to the principle of amateurism and an ironic lack of understanding of the term that we inherited from England but never embraced in the same way as a class distinction. What worked to set intercollegiate athletics apart at Oxford and Cambridge from professional sports – that the amateur was of a social class that could afford both the time and expense of sport without compensation or reimbursement – has never worked as well in the egalitarian culture of America's institutions of higher education. Indeed, American universities not only opened their doors to 19th century commoners but welcomed them on its athletics teams where the merits of physical talent were desired over economic advantage. The American version of amateurism that developed as athletics increasingly became a part of the student experience on campuses across the country was not a way to keep social classes apart; it was a commitment to the avocational approach to athletics in the university environment as opposed to the vocational approach in professional sports.

So, while the impact of commercial activity and the interests of commercial entities have been welcomed from the beginning – and indeed has helped salve the irritation of faculty and others that athletics financially distracts from the educational mission of the academy – the scale and scope of such activities juxtaposed against a rigid commitment to play without pay for the athletes has never made for a comfortable seat where the two notions can rest side by side. As both practical and imperative as commercial support has been to the creation, rise and expansion of intercollegiate athletics, it has burdened the conscience of all who assume amateurism must first and always be held apart from concerns about money. It is helpful, therefore, to recall that the NCAA's long-ago adopted definition of amateurism as it relates to intercollegiate athletics has almost nothing to say about compensation and everything to say about motivation. The Principle of Amateurism memorialized in the Association's Constitution declares that "participation should be motivated primarily by education and by the physical, mental and social benefits to be derived. Student participation…is an avocation, and (they) should be protected from commercial and professional interests."

The second concept that adds to America's collective confusion about the relationship of commercial activity to intercollegiate athletics is that while participation is to be an avocation for students, college sports as an enterprise is a professional undertaking for everyone else. Furthermore, the generating of revenues to help offset expenses must be guided by the same sound business principles as any commercial entity. When Harvard met Yale in the first rowing contest in 1852 and Princeton traveled to Rutgers for the first intercollegiate football game in 1869, it was the result of students seeking freedom from their 19th Century classrooms. But once

the colors were raised and the pride of victory was contested, it was not long until the professional coach was introduced to improve the chances of winning. Before the establishment of the NCAA in 1906, nearly every sport had coaches who were paid for their expertise. The expansion toward programs with multiple sports lead inevitably to a need for professional management of budgets and schedules, the hiring of coaches and other personnel, the building of facilities to host events, and the development of revenues to pay for the enterprise.

On one hand, such growth of staff, facilities and the need for their management is no different in athletics than for any other activity on campus that is developed in response to need or interest. As the curriculum of higher education in the 18th and 19th century evolved into that of the comprehensive universities of the 20th century, music, journalism and computer science – as examples – were introduced and had to be supported by an infrastructure of personnel, facilities and development. The difference in athletics is the media attention that college sports invited, the public enthusiasm that fans and alumni demonstrated, and the commercial interest that was attracted by both. In addition, the emotional engagement that intercollegiate athletics stimulates, the media and business awareness that follows run so parallel to college sports' professional counterpart that those who view all that pertains to higher education from the viewpoint of the academy are made uncomfortable by the proximity.

The question of whether there should be a connection between higher education-sponsored athletics and the commercial activity that has grown up around such events (regardless of confusion about the propriety of amateurism being under attack or the spreading of professionalism into the infrastructure for college sports) was answered when the first ticket was sold and the first coach was hired. All that has followed is an issue of scale and scope.

To be certain, commercial activity cannot be stripped away from intercollegiate athletics at any level. Higher education requires of college sports programs, as it does of any other component of the campus, that the activity offset at least some of its costs by generating revenue. And as public support and private appreciation for higher education have increasingly experienced a reversal to public appreciation and private support, the need to monetize the assets of an institution and to encourage corporate and private investment in the very basics of the academy, intercollegiate athletics will be pressed more aggressively to develop wider revenue streams through commercial activity. While some in America's colleges and universities have publically lamented the increased commercial nature of the entire campus, it is a fact of 21st century life that institutions of all types will succeed increasingly by their own wits and best efforts to engage the world beyond the campus.

We know from our experiences with media partners and their advertisers that it is not only the popularity of college sports that is attractive. It is also the values that intercollegiate athletics and higher education foster that appeal to marketing and advertising interests. Indeed, if there were no constraints on commercial activity – if colleges and universities were to barter their values (the avocational motivation for athletics participation and the protection of the student-athlete from commercial and professional interests) for a few dollars more – the appeal would be weakened. The attraction of intercollegiate athletics that allows the enterprise to compete favorably with professional sports for media attention and commercial support is not the athletics superiority of the collegiate product. Professional athletes are paid for a reason; they are better at what they do than amateurs because playing sports is the professional's job. The attraction is the near visceral recognition that intercollegiate athletics and higher education share common values and that the keystone to the relationship is the student-athlete who resides in both worlds. That is a value that advertisers and corporations are as interested in preserving as is higher education. Their interest is not in overwhelming the constraints; it is in understanding in clear and unambiguous terms exactly what the constraints are.

As noted earlier, commercial activity associated with intercollegiate athletics is not new, and it is not going away. More importantly, the relationship between commercial entities and college sports, when conducted within the appropriate constraints of higher education, should be encouraged and strengthened. Not only is the revenue from such activity critical to intercollegiate athletics and the colleges and universities that sponsor athletics, it helps engage communities beyond the campus in ways that fulfils the broader mission of higher education. The best relationship is a reciprocal one in which the corporate world advocates for the values of intercollegiate athletics and carries the messages for higher education. We, in turn, have an obligation to work with corporations to help them understand the role of universities in the advancement of national well-being and success. We need to take the steps to educate and support corporations in this endeavor.

But if commercial activity is here to stay – and is to be encouraged – for both intercollegiate athletics and all of higher education, what then are the constraints we use to determine how far we can go without compromising our mission or the principles that underpin that mission? Where can we move comfortably among the conflicting concepts of commercialism, amateurism and professionalism? Is there a true north that can guide each of us so that the desire to compete doesn't incrementally push all of us beyond the brink?

Clearly, there is a shared responsibility for addressing these questions. There may be some regulation that be developed, especially with regard to making commercial activity compliant

with the principle of amateurism for student-athletes. And while the Association can develop recommendations for commercial activity practices that align with the values of higher education, as with most other issues that confront higher education, the answers to these questions most likely are apparent only on a campus-by-campus basis. with most other issues that confront higher education, the answers most likely are apparent only on a campus-by-campus basis. As compelling as it is to find refuge in regulation and national policy that relieves a campus from the difficult decision, it is most likely that each campus must be guided in the decisions regarding commercial activity related to intercollegiate athletics by the principles that guide commercial activity for the rest of the campus. The ways in which we encourage private and commercial funds to subsidize athletics initiatives and the conditions we are willing to accept for how those funds will be spent should be consistent with how we encourage and accept private and commercial funds for the rest of the campus. And while the opportunities for development of commercial relationships are likely greater for athletics than most other components of the campus, the principles for doing so should nonetheless be consistent with the way in which the rest of the campus would approach those opportunities if they were available.
In short, the task at hand – as media platforms broaden and as institutions reach further beyond the campus for new revenue opportunities – is to align the commercial activity associated with intercollegiate athletics with the rest of higher education and to find the appropriate and reciprocal relationship with corporate America so that both benefit in accordance with their shared values.

Task Force Charge.

Prior to its first meeting, the Task Force on Commercial Activities in Intercollegiate Sports received a document outlining the group's charge. The document presented the scope of the issues to be undertaken, including the update and clarification of rules for the uses of student-athlete likenesses, images and names and an expanded charge to address the more general issue of proper engagement in commercial activity in the presentation and broadcast of intercollegiate athletics contests. The charge document also attempted to present the differences between college and professional sports that might influence how and to what degree limits should be established that demarcate the two approaches to sports presentation.

Professional sports, the charge observed, seeks to build audiences by entertainment in sports venues and through media presentations, especially the broadcast media. The purpose is to create interest in sports properties that translates to profits for the owners. The participants in the events are remunerated professional athletes, whose primary functions are to win the contests and add celebrity to the product.

College sports, by contrast, seeks to develop positive interest and loyalty in the sponsoring universities by engaging its campus constituencies, alumni and friends through sports events and through media presentations. The purpose is to create visibility and a sense of standing for the sponsoring universities that can be translated into prestige and attractiveness to potential students. The players themselves are students, not employees, who are to receive the benefits of being enrolled in a university, including the education developmental benefits of participating in competitive sports. Most college and university athletics programs do not result in revenues that exceed expenses and require institutional subsidies to make up the difference. For those specific sports programs that have revenues above expenses, the revenues are distributed broadly to fund participation opportunities in sports with little or no revenues.

The problem with regard to commercial activity arises when the differences between college sports and professional sports are diminished, and the similarities begin to dominate. When media companies and corporate sponsors, reporters and analysts, and university athletics departments, alumni and boosters overly emphasize the similarities between college sports and professional sports, the higher education context for college sports becomes weakened, with the threat of being lost. In too many cases, focus on revenue generation through advertising and corporate sponsorship is not only changing the look and feel of college games, but also the perceived connectivity to higher education.

How can the higher education context of college sports be preserved, even as real world pressures to produce revenue and favorable visibility push the enterprise toward the professional sports approach? How, that is, can the loss of identity of college sports be halted?

Both the narrative and the earlier charge present the case that the answers are neither to divorce college sports from media and commercial interests nor to encourage the drift of college sports toward the professional sports approach. Commercial activity associated with intercollegiate athletics is here to stay and indeed can and should be embraced. The appropriate approach is to nurture a reciprocal appreciation that encourages corporate America to recognize its interest in selling products in ways that are consistent with and helps communicate the values of intercollegiate athletics and higher education.

The charge to the task force was to find the balance point between two extreme positions, between unrealistic idealism and crass commercialism. There is, and there must be, commercial activity associated with college sports. But this commercial activity must respect the context in which college sports is conducted, and it must respect, in particular, that the participants are college students, not paid professional athletes.

The task force was asked to develop the principles that clearly establish this balanced position. These principles, according to the charge, should be sufficiently detailed so that they can be easily translated into enforceable NCAA legislation and rules. They should not be so abstract that they do not relate to action. The formulation of specific NCAA legislation can be undertaken by other NCAA committees with staff assistance, once these principles are in place.
The principles must be sufficiently broad-based so that they cover all sports and all commercial activity associated with athletics. They should deal in a consistent way with national postseason championship events, including the Final Four basketball tournaments and football bowl games, with conference championship events and with all regular season games. These principles should be applicable to commercial activity connected with the venues, the broadcast media, and new media in all forms. They should pertain to all contractual arrangements between university athletics departments, athletics personnel and corporate entities that involve sponsorship and promotions, including for example shoe companies and beer distributors.

Special attention needs to be paid to the two issues that motivated the formation of the task force. There must be clear principles that can be translated into enforceable rules pertaining to the uses of student-athlete likenesses, images and names. Similarly, the principles must pertain to BCS postseason football games and indeed all bowl games.

Principles.

After three in-person meetings and numerous e-mail discussions, the task force developed a set of principles for commercial activity that involve student-athlete names or likenesses and activity that does not. The following principles include recommendations for legislative regulation in those instances involving direct student-athlete involvement or exploitation; creation of an oversight committee to inform staff decisions and appeals and to monitor trends regarding commercial activity; and a list of best practices to guide commercial activity at the national, conference and campus levels.

Commercial activities involving student-athlete names or likenesses.

NCAA legislation should be developed regarding the implementation of the following guiding principles concerning use of student-athlete names or likenesses in commercial activities.

1. A student-athlete's name or likeness may not be used in a manner to portray the student-athlete as promoting or endorsing the sale or use of a commercial product or service, or in a manner that a reasonable person would consider exploitation of the student-athlete(s).

   COMMENTS:

   Use by media that is protected by the first amendment would not constitute a violation of NCAA Bylaws as this is written. Use to broadcast and promote intercollegiate competition that is now permitted would continue. A student-athlete's specific association with the commercial product or service or that endorses, or promotes through appearance, words or actions would not be permitted. This change would permit current "indirect" uses, however, a new committee described in No. 5 below would be established to evaluate the uses involving student-athletes that are not prohibited by amateurism rules.

2. Use of a student-athlete's name or likeness (e.g. via game footage) that does not portray the student-athlete in a manner as promoting or endorsing the sale or use of a commercial product or service is permissible if the student athlete has consented to such use, such use is approved by the institution's director of athletics and there is a clear, official and visibly referenced-association between the commercial entity and the institution, conference or NCAA (e.g. "The ABC Company is an official corporate partner of X University and applauds the academic achievements of the institution's student-athletes"). If an institution or student-athlete learns of an improper use of the student-athlete's name or likeness, the member institution must issue a cease and desist notice to the entity.

   COMMENTS:

   The NCAA membership services staff remains the interpretative body for questions about NCAA Bylaw 12 related to student-athlete amateurism. The NCAA membership services staff also provides interpretative advice for permissible uses of likeness proposed by the NCAA national office for the Association's corporate and broadcasting programs, although there should be fewer interpretations after adoption of legislation consistent with these principles. The governance structure (e.g., beginning with the Legislation and Interpretations Committee) ultimately serves as a check on the consistency of interpretations of NCAA rules.

   In addition, a practical process to obtain student-athlete consent and director of athletics approval must be investigated. One approach would be to expand the language of the student-athlete statement. Director of athletics approval could be obtained in advance as well.

3. Provided the provisions in No. 2 above are met, use of a student-athlete's name or likeness is permissible if it is part of the actual coverage, in any medium, of the student-athlete's competition (e.g., TV broadcast, Internet Web cast, mobile statistics and highlights) or is a representation of that actual competition (e.g., photos, footage), provided such use does not take the form of a fabricated product (e.g., names on jerseys). If an institution or student-athlete learns of an improper use of the student-athlete's name or likeness, the member institution must issue a cease and desist notice to the individual or entity.

   COMMENTS:

   This point is added to differentiate between use of name or likeness in the context of athletics competition captured in media forms versus the insertion of a student-athlete's name or likeness on a non-media product. It also is permissible to use a student-athlete's name or likeness to promote media coverage in which the student-athlete, the student-athlete's team or the student-athlete's conference is scheduled to compete or has competed.

   The concept of "convergence", which will merge the interactivity of the computer and computer simulation with television broadcast, will need to be interpreted as it relates to the appropriate uses of student-athlete names and likenesses.

4. A student-athlete may not be paid in any form (see Bylaw 12.02.2) for use of his or her name, likeness or athletics reputation.

   "Bylaw 12.02.2—Pay. Pay is the receipt of funds, awards or benefits not permitted by the governing legislation of the Association for participation in athletics."

5. A "Commercial Activities Oversight Committee" shall be established and empowered to: (1) make binding determinations for questions regarding uses of student-athlete names and likenesses that while not prohibited under NCAA amateurism rules, should nonetheless be prohibited as exploitation, and (2) monitor and review annually the advertising/ marketing/sponsorship and other commercial trends, practices and policies in Division I and specifically those of the NCAA national office.

   COMMENTS:

   The committee would be charged to ensure that the values of higher education, the "collegiate model" and the interests of student-athletes continue to be protected in relationships with corporate entities. The committee would apply a reasonable person standard in making decisions concerning uses of student-athlete names and likenesses that

should, or should not, be considered exploitation, and therefore, prohibited or not prohibited. Annual reports from the committee that include evaluation of the Association's policies and practices shall be submitted to the NCAA Executive Committee.

6. All institutions, conferences, and the NCAA national office shall include specific contractual language in all licensing, marketing/sponsorship, advertising, broadcast, and other commercial agreements that would outline the entity's obligation to comply with NCAA Bylaws, policies, and interpretations, particularly those relating to use of a student-athlete's name or likeness. Institutions, conferences, and the NCAA national office also shall have an obligation to seek reasonable solutions with the contractual entity in cases where NCAA Bylaws regarding use of student-athletes' names and likenesses are not met.

   COMMENTS:

   For example, if a TV network partner does not comply with a requirement of a contract, the institution/conference/NCAA national office might ask them to remove an objectionable ad from future use or produce a replacement ad that sends a "higher education appropriate" message, or even pay a penalty in extreme cases.

7. Each institution, conference, and the NCAA national office shall maintain written policies for its licensing, marketing/sponsorship, advertising, broadcast and other commercial agreements (participants in football bowl games also will be asked to follow this process). These policies will be made available upon request from the Commercial Activities Oversight Committee in that committee's role to evaluate trends and ensure consistency with NCAA Bylaws, policies, interpretations, and best practices.

Commercial activities not involving student-athlete names or likenesses.

Recommended NCAA Best Practice.

Many commercial activities of institutions, conferences, and the NCAA national office do not involve the use of student-athlete names or likenesses, but must still embrace the essential principles upon which intercollegiate athletics is founded.

Corporate and broadcast relationships offer revenue streams that are demonstrably important to sustain overall intercollegiate athletics programs. As a result, the following are recommended standards to consider in such relationships that would encourage uniform practices that would help support the "collegiate model" of intercollegiate athletics and help maintain the line of demarcation between college and professional athletics:

1. The content of commercial advertising and marketing that officially aligns with the institution, conference or NCAA national office and their respective missions should expand the public's understanding of and confidence in higher education and the values of intercollegiate athletics.

2. The quantity of commercial advertising and marketing associated with intercollegiate teams and venues is governed by the respective sponsoring institution, conference or in the case of championships competition, NCAA policies. Such advertising and marketing should be consistent with the mission and values of higher education.

3. Institutions and its athletics personnel, conferences and the NCAA national office should establish written policies and standards regarding the use of intellectual property (e.g. marks and logos) in relation to commercial entities and activities.

4. Institutional presidents, conference boards of presidents and NCAA presidential groups should maintain written policies and standards for advertising and marketing associated with intercollegiate athletics, its participants and personnel.

Respectfully submitted to the Division I Board of Directors.

Task Force Chair:
Graham Spanier, president, Pennsylvania State University

Other Task Force Members:
Michael Adams, president, University of Georgia
James Barker, president, Clemson University
Frank Brogan, president, Florida Atlantic University
David Frohnmayer, president, University of Oregon
Walter Harrison, president, University of Hartford
Harvey Perlman, chancellor, University of Nebraska, Lincoln
John Peters, president, Northern Illinois University
Shirley Raines, president, University of Memphis
David Schmidly, president, University of New Mexico
Nancy Zimpher, president, University of Cincinnati

Task Force Consultants:
Elizabeth Altmaier, faculty athletics representative, University of Iowa

Robert Bowlsby, director of athletics, Stanford University
Christine Plonsky, director of women's athletics, University of Texas at Austin
Doug Fullerton, commissioner, Big Sky Conference
John Swofford, commissioner, Atlantic Coast Conference
Craig Thompson, commissioner, Mountain West Conference
Keith Tribble, director of athletics, University of Central Florida

Division I Men's Basketball Academic Enhancement Group
Executive Summary
(December 3, 2008, meeting)

The following information provides a summary of the discussion that occurred at the Division I Basketball Academic Enhancement Group's December 3, 2008, meeting in Chicago,, Illinois. This summary will provide an update of the positions previously supported by the group as reflected in its September 15, 2008, progress report.

1. Academic Progress Rate Policies.

a. The group agreed not to make any recommendations at this time to the Committee on Athletic Performance regarding potential changes in the calculation of the academic progress rates in men's basketball.

b. The group received feedback from several conferences and academic associations expressing concern regarding preliminary recommendations to the current policies set forth in the group's September 15 progress report as they may dilute the original intent of the academic performance program. * The group agreed that the "historical" sanctions currently being imposed by the Committee on Athletics Performance would likely facilitate change in the academic performance and /or profile of Division I men's basketball student-athletes.

c. The group noted that the Committee on Academic Performance continues to examine these issues in consultation with the group's "0 for 2 Phenomenon" subcommittee and that the group would delay further discussion on this issue until its April meeting to allow appropriate groups to discuss and determine if there is merit to any further policy changes or adjustment in the academic progress rate calculation for Division I men's basketball student-athletes.

2. Mandatory Summer School.

a. The group noted concerns rose by many conferences regarding a strict two-year mandatory summer school attendance requirement and moved away from support of such a concept. The group expressed support for mandatory summer school attendance based on the academic profile and academic performance of individual student-athletes and institutional men's basketball teams.

b. The group expressed some preliminary support for a model that would require mandatory summer school attendance for those entering student-athletes who were determined by the institution to be "at risk" students as defined by the institution. Mandatory summer school attendance for continuing students the summer immediately following their initial year of regular enrollment would be based on the men's basketball team/or individuals failure to meet benchmark academic progress rate standards. The group agreed to continue to review the data related to benchmark standards as it continues to discuss the merits of this new approach.

c. The group continued to support the greater "access" concept as well as the continuing eligibility requirements previously set forth in the September 15 progress report. However, it was noted that issues/concerns regarding the appearance of being rewarded for achieving a lower academic progress rate since those required to attend summer school for failure to meet required academic benchmarks would in essence have greater access to work with their coaches. The group agreed to continue further discussion of an equitable access concept at its next meeting.

3. Playing and Practice Seasons.

a. The group expressed support for a more staggered concept for the beginning of on-court preseason basketball practice that would begin October 1 and provide for gradual increase in on-court practice between October 1 through October 15 (with two days off each week), at which time the current 20 hours per week of on-court practice (with one day off per week) would be applicable.

b. The group supported the implementation of institutional policies related missed class time due to athletics participation, including the required approval by the faculty athletic representative or faculty athletics committee of individual athletics participation schedules that specify the amount of missed class time due to athletics participation. The group also recommended modifications to preclude missed class time in conjunction with informal preseason practice scrimmages and exhibition games.

[Note: There is a proposal in the current legislative cycle to be voted on by the Division I Legislation Council in January 2009 to preclude missed class time in conjunction with informal preseason practice scrimmages.]

c. The group supported a recommendation to decrease the maximum number of contests by one, thus permitting institutions to engage in a maximum of 28 regular season contests or 26 regular season contests and one qualifying regular-season multiple-team event. Such competition shall be conducted over a 15 week period.

d. The group agreed that as a best practice, institutions should be strongly encouraged to participate in no more than an average of two games per week (Monday through Sunday) while classes are in session, should not participate in any games during the week of final examinations as defined in the institution's catalog and should not participate in more than one away-from-home regular season conference game Monday through Friday of any given week. The group noted that these would not be legislative requirements, but agreed that conference offices should monitor these practices and require documentation from institutions not meeting them prior to the beginning of the season that provides an explanation as to noncompliance and a future plan to meet such practices.

4. Academic Preparedness.

a. The group continued to discuss the concept of a "year of readiness" for entering men's basketball student-athletes who may satisfy NCAA initial eligibility standards, but do not satisfy institutional admissions standards and are not predicted to succeed academically and graduate in a timely manner. Some recruiting equity concerns were raised if national standards are not established to determine those student-athletes who would be subject to the "year of readiness." It should be noted that student-athletes would be eligible for financial aid and to practice at home during such a year. The group directed the staff to continue to gather data for review at its next meeting to assist the group in examining potential standards as well as the composition of any impacted group.

b. The group also continued to discuss the concept of a "year of readiness" for two-year college transfer student-athletes. Discussion related to whether both qualifiers and non-qualifiers should be subject to the "year of readiness" and what requirements should be satisfied while in attendance at the two-year college in order to be eligible immediately on transfer to a Division I institution. It was agreed that staff should provide additional data to be reviewed by the group at its next meeting regarding how

many two-year college transfers are non-qualifiers and how such individuals are performing academically at the Division I institution.

c. The group continued to support the concepts set forth in its September 15 progress report related to the collection of research data, the continued review of the use of nontraditional courses to meet transfer requirements and the limitations on the use of physical education activities courses to meet two-year college transfer requirements.

d. The group continued to discuss the appropriate mechanisms for academically unprepared student-athletes who enroll in two year colleges to remediate deficiencies in order to eventually graduate from a Division I institution.

5. Timeline for Completion of Work.

a. Available committee members may be called upon to meet at the 2009 NCAA Convention, and the full committee will meet in conjunction with the Division I Men's Basketball Championship. The group anticipates completing its work by the conclusion of the academic year.

b. The group will forward recommendations to the Division I Board of Directors for consideration at its August or October 2009 meetings with the hope that legislative items will be included in the 2009-10 legislative cycle and voted on initially by the Legislative Council at its January 2010 meeting.

c. The group noted that conferences will continue to be provided updates and progress reports to facilitate the opportunity to provide feedback related to the group's proposed recommendations.

Basketball Academic Enhancement Group Study

- In April 2007, the Division I Board of Directors appointed a 30 person group of presidents, commissioners, athletics directors, faculty and men's head basketball coaches to develop strategies to enhance academic performance and graduation rates in NCAA Division I men's basketball and to report to the Board by the end of 2008.

- Graduation rates in men's basketball are among the lowest in Division I, and the then impending elimination of the small squad adjustment was expected to further impact the sport. Overall, men's basketball players are less prepared academically than student-athletes who participate in all other sports. It was viewed as essential, therefore, that NCAA constituent groups work together to evaluate the causes and develop meaningful strategies to improve academic performance.

- The following subcommittees were formed and charged with identifying and developing potential solutions, legislative and non-legislative, for consideration by the full group: Subcommittee on Academic Preparation and Academic Support; Subcommittee on Coach/Player Relationships; Subcommittee on Playing and Practice Seasons; Subcommittee on Transfers – Both Incoming and Outgoing; and the Subcommittee on the 0 for 2 Phenomenon.

- We conducted our fourth full committee meeting in early December and the various subcommittees have been meeting on an ongoing basis to make recommendations to the full group for inclusion in our final report to the Board.

The following information provides a summary of the discussion that occurred at the Division I Basketball Academic Enhancement Group's December 3, 2008, meeting in Chicago,, Illinois. This summary will provide an update of the positions previously supported by the group as reflected in its September 15, 2008, progress report.

1. Academic Progress Rate Policies.

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b. The group noted that the Committee on Academic Performance continues to examine these issues in consultation with the group's "0 for 2 Phenomenon" Subcommittee and that the group would delay further discussion on this issue until its April meeting to allow appropriate groups to discuss and determine if there is merit to any further policy changes or adjustment in the academic progress rate calculation for Division I men's basketball student-athletes.

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c. The group continued to support the greater "access" concept as well as the continuing eligibility requirements previously set forth in the September 15 progress report. However, it was noted that issues/concerns regarding the appearance of being rewarded for achieving a lower academic progress rate since those required to attend summer school for failure to meet required academic benchmarks would in essence have greater access to work with their coaches. The group agreed to continue further discussion of an equitable access concept at its next meeting.

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A G E N D A

National Collegiate Athletic Association

Football Academic Working Group
Conference Call

Dial-In - 800/213-0326
Passcode - 277069

December 17, 2008

1. Introductions and opening comments. (Joseph Castiglione)

2. Eligibility subcommittees' reports.

   a. Football Bowl Subdivision. (Rhonda Hatcher)

   b. Football Championship Subdivision. (Alan Hauser)

3. Retention subcommittees' reports.

   a. Football Bowl Subdivision. (Brad Bates)

   b. Football Championship Subdivision. (Joe Sterrett)

4. Finances subcommittees' reports.

   a. Football Bowl Subdivision. (Warde Manuel)

   b. Football Championship Subdivision. (Peter Fields)

5. Discussion of subcommittee reports.

6. Date and site of in-person meeting.

7. Other business.

NCAA/12/12/08/DLP:kg

Facilitating Learning and Achieving Graduation

An Overview Prepared for the NCAA Division I Board of Directors

January 2009

BACKGROUND

In response to *The Second-Century Imperatives*, a report issued in October 2006, by The NCAA Presidential Task Force on the Future of Division I Intercollegiate Athletics, a working group was appointed to examine issues pertaining to the academic risk of student-athletes. Specifically, the working group was charged to: (a) Identify factors and characteristics that may cause a student-athlete to be "at-risk" of not graduating from his or her institution; (b) Establish a data-based definition of "at risk" that allows for local differences among the diverse NCAA Division I membership; (c) Develop a tool for campuses to use to examine special admissions of scholarship student-athletes and to measure whether campus systems can adequately support the number of student-athletes admitted via special admissions review each year; (d) Identify model practices in academic and life-skill programs to support "at-risk" student-athletes in their academic endeavors; and (e) Develop mechanisms to assist institutions in evaluating the level of academic and life-skill support provided to "at-risk" student-athletes and in determining if changes or enhancements are necessary.

To fulfill its charge, the working group met four times from February 2008 to January 2009 and created a management system designed to assist campuses in identifying, assessing and mitigating risk for all student-athletes. An overview of the results of these efforts is provided in this summary document. A formal report will be presented to the NCAA Division I Academic Cabinet in February.

DEFINING "RISK"

The group began its work by conceptualizing "risk" to include all the factors that can reduce a student-athlete's chances of graduating from the institution, rather than limiting its review to academic-risk factors. Further, the group noted that every student has some degree of risk of not graduating until the time that he or she actually completes all requirements for a degree. As a result, throughout their collegiate careers student-athletes are on a risk continuum determined by factors that often fall into three main categories:

a. Factors that may be inherent to the student at the time of entry into a member institution (e.g., academic preparation, two- or four-year transfer status, academic motivation and effort, socioeconomic status, first-generation college student);

b. Factors that may be inherent to the student-athlete's institution, program or sports team (e.g., sport time demands, academic support programming); and

c. Factors that arise during a student-athlete's collegiate career (e.g., academic ineligibility, personal issues, actual or perceived opportunities to pursue a professional sports career, coaching change, exhaustion of athletics eligibility).

Consistent with this approach, a student-athlete's individual risk level may fluctuate from low risk to high risk due to the development or mitigation of various risk factors. The working group acknowledges the paradigm shift presented within its work, as "at risk" often is used to categorize a group of students who are academically underprepared at the point of entry into the collegiate environment. However, research regarding student-athlete graduation success indicates that other nonacademic factors, some of which develop after the student-athlete has enrolled in college, present significant threats to a student-athlete's likelihood of persistence to graduation. Further, the group acknowledged the stigma that can sometimes be attached to students labeled "at risk" and emphasized that care should be taken when assigning labels or categories. It is the working group's assertion that a system that assesses and recommends support for each student-athlete, regardless of his or her level of risk, will facilitate the success of all student-athletes, while helping to minimize negative perceptions regarding student-athletes who present a higher risk of not graduating.

FACILITATING LEARNING AND ACHIEVING GRADUATION

The working group recommends the development of a system to assist institutions with assessing and supporting all student-athletes in their pursuit of college degrees. This electronic program will be called "FLAG", which stands for Facilitating Learning and Achieving Graduation. FLAG has been designed to help institutions optimize their respective campus environments to leverage opportunities for graduation success. In so doing, FLAG will provide tools for institutions to increase the efficiency of their current services--including academic support and life-skills programs--and to make informed decisions regarding recruiting, admissions and program resources (e.g., staffing and budget). The working group believes implementation of the FLAG system will address each of the points of its charge by providing three modules: one for assessing individual student-athlete risk; one for assigning suggested support services, based on the student-athlete's specific risk factors; and, one for evaluating the overall effectiveness of the institution’s student-athlete support services.

FLAG will be a Web-based system integrated into an existing NCAA platform [e.g., NCAA Division I Academic Performance Program (APP) or Compliance Assistant internet (CA*i*)] to provide accessibility and familiarity for campus users. In addition, the program will use as many existing data sources as possible in order to minimize the need for additional data entry. For example, student-athlete academic profiles should be able to migrate from the APP into FLAG so campuses only have to enter basic data one time.

GRADUATION RISK OVERVIEW

The Graduation Risk Overview (GRO) is a scored model that provides a dynamic quantification of an individual student-athlete's potential barriers to graduation. GRO includes a weighted scoring system for a number of factors that have the greatest impact on a student-athlete's likelihood of graduation success. When incoming and continuing student-athletes are evaluated against the identified factors, a statistical measure of individual risk is calculated. In addition, GRO allows for institutions to factor in local differences and to incorporate risk factors applicable to their respective student populations. It will be useful for all campuses, regardless of institutional mission, student demographics, geographical location or levels of resources available.

GRO is a data-driven model that was developed after an examination of over 50 academic and nonacademic risk variables identified for testing by the working group. Based on a thorough review, the risk factors were narrowed to include variables within five categories, including: (a) Academic; (b) Role of academics (in the student-athlete's life); (c) Transfer status; (d) Personal history; and (e) Sport. Please see the Appendix to this report for a list of the weighted variables within each category. A student-athlete's risk can be classified as low, medium, or high based on the number and nature of risk factors presented. For optimal results, each individual student-athlete should be evaluated first as a recruit or incoming freshman, and then at least once per academic year throughout his or her collegiate career.

SUPPORT SERVICES

Early identification of risk and early intervention with appropriate support services are crucial to improving each student-athlete's opportunity to graduate. Using the GRO module within FLAG, institutions can complete an individual assessment of each student-athlete's risk, which will generate a list of suggested support services for the particular risk factors presented. The system will be programmed for flexibility to tailor the service list generated to match institutional programs and resources. Further, institutions will be strongly encouraged to take advantage of existing campus resources to the greatest possible extent, rather than replicating services within the athletic department.

Over time, "best" and "model" support practices that have a demonstrated history of success will be identified via FLAG's evaluation module and will be used to populate the suggested services field. These services and programs also will be maintained for the membership via a searchable database available within FLAG.

EVALUATION

FLAG will include an evaluation mechanism to assist institutions in assessing the overall level of risk presented by current student-athletes collectively, including the mitigating effects of support services provided. Assessing risk factors for all student-athletes will provide for a measure of the cumulative risk of a team or program and will produce useful information when campus decision makers and practitioners are planning and budgeting appropriate support services.

The FLAG reports will assess the aggregate level of risk assumed by the institution, along with the potential risk of each recruiting class, to inform recruiting and admissions decisions, including decisions regarding special or alternate admissions. The reporting feature will allow institutions to quantify outcomes and measure improvement (e.g., decreased risk) for individuals or groups of student-athletes based on the support provided. The reports also will be useful communication tools for discussions within the athletics department, across campus and with external constituents.

CONCLUSION

The working group will submit its recommendations next month to the Academic Cabinet. If the working group's recommendations are approved, the group's final report will become a working document to guide the NCAA staff in developing and implementing the concepts.

In addition, the report will be shared with a number of constituent groups (e.g., academic advisors, faculty athletics representatives, student-athlete advisory committees, member conferences, coaches associations) in anticipation of their interest in the research findings provided in the report. The support of presidents and chancellors will be crucial in this endeavor as academic support professionals are asked to undertake more nuanced efforts to assess and support student-athletes. Support and "buy-in" from athletics directors, administrative staff and coaches also will be important to the successful implementation of FLAG on any campus. As a result, outreach efforts will be specifically tailored to each audience in order to communicate the program’s particular relevancy to each constituent group. For example, materials developed for the national coaching organizations will communicate the program's utility for head and assistant coaches in their efforts to support student-athlete eligibility, retention and, ultimately, graduation.

Student-athletes fall along a continuum of risk that is based on multiple factors, not all of which are academic. Institutional units must collaborate to identify student-athlete support needs and to provide quality services and programs to foster student-athlete graduation success. In addition, informed decision-making is essential to optimizing campus resources to mitigate student-athlete hurdles to graduation. To this end, FLAG is designed to address each of these principles and to support institutional endeavors to ensure graduation for every student-athlete.

Graduation Risk Overview (GRO) Models

Academic Risk for Student-Athletes at Entry

Category	Weight	Variable(s) / Criteria	
Academic	+2	HS core GPA < 2.6 or ACT/SAT < 820 or core units < 16 or academic nonqualifier or number of HS > 2 or educational disability diagnosed or transfer GPA < 2.6 (for 2-4 or 4-4 transfers)	
Role of academics	+1	Identifies strongly as athlete, not as student	
	+2	Academic effort lacking (historical or contemporary)	
Transfer	+1	Transferred into current institution (2-4 or 4-4)	
Personal history	+1	First-generation college student or student has low financial resources or student is homesick	
Sport	+1	Student in high profile sport at your school	
	+1	Poor coach attitude toward academics or coach in first year	
Total		0-1 = low risk; 2-3 = moderate; 4+ = high	

Academic Risk for Student-Athletes Post-Entry

Category	Weight	Variable(s) / Criteria	
Academic	+2	Current cumulative GPA < 2.6 or current term GPA < 2.6 or educational disability diagnosed or academically ineligible within the past year or other locally identifiable academic red flag	
Role of academics	+1	Identifies strongly as athlete, not as student or professional sports opportunity presents	
	+2	Academic effort lacking (historical or contemporary)	
	+1	Negative attitude toward major	
Transfer	+1	Transferred into current institution (2-4 or 4-4)	
Personal history	+1	First-generation college student or student has low financial resources or student is homesick	
	+1	Health, family, mental health or substance abuse issue	
Sport	+1	Student in high profile sport at your school	
	+2	Exhausted eligibility prior to graduation	
	+1	Poor coach attitude toward academics or coaching change occurred or dissatisfied with athletics experience	
Total		0-2 = low risk; 3-4 = moderate; 5+ = high	

REPORT OF

THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

DIVISION I COMMUNICATIONS AND COORDINATION COMMITTEE

CONFERENCE CALL

Participants: December 15, 2008

Grace Calhoun, Indiana University – (Awards, Benefits and Financial Aid Cabinet)
Carolyn Callahan, University of Virginia – (Academics Cabinet)
Joseph D'Antonio, Big East Conference – (Legislative Council)
Damon Evans, University of Georgia – (Leadership Council)
Rob Halvaks, Big West Conference – (Administration Cabinet)
Kerry Kenny, Patriot League – (SAAC)
Petrina Long, UCLA – (Recruiting Cabinet)
Mike Rogers, Baylor University – (Amateurism Cabinet)
Jeff Schemmel, San Diego State University – (Championships/Sports Management Cabinet)
Beth DeBauche, NCAA – recording secretary

NCAA staff: David Berst, Matt Burgemeister, Angie Cretors, Lynn Holzman, Michelle Hosick, Brad Hostetter, Charnele Kemper, Steve Mallonee, Rachel Newman-Baker, Delise O'Meally, Carol Reep, Dave Schnase, Geoff Silver, Jackie Thurnes, and Sharon Tufano, also participated on the call.

The conference call was called to order by the chair, Damon Evans, at 12:20 p.m.

1. <u>Reports from Council meetings</u>.

a. <u>November 5 Leadership Council meeting</u>. Leadership Council chair Damon Evans explained that the Council has started its examination of two agenda items assigned to it by the Board of Directors, namely Division I membership standards and how to enhance the level of division serving in the Division I governance structure. He noted given the complexity of these issues, the examination will take time and he encouraged the chairs to be mindful of these important issues as they continue their work. During the course of the discussion, Administration Cabinet chair Rob Halvaks noted that enhancing the level of diversity in the structure is a guiding principle for that cabinet's work. Further, the group discussed the fact that as efforts are made to enhance cost efficiencies, the governance structure needs to be mindful of the impact on student-athletes.

b. <u>October 20 – 21 Legislative Council meeting</u>. Legislative Council chair Joe D'Antonio reported that the first meeting of the Legislative Council was a success. He noted that the Council members seemed very well prepared and engaged as they systematically reviewed all of the proposals in the cycle. He discussed the importance of having a high level of coordination among the various Division I governance bodies and noted that

being aware of important themes on the cabinet, Leadership Council and Board of Directors agendas was helpful to the Legislative Council as it examined legislation.

2. **Discussion of key legislative proposals in the 2008-09 cycle in preparation for the initial consideration of legislation in January**. In advance of the Legislative Council's consideration of the 76 proposals in the 2008-09 cycle, committee members were given an opportunity to share thoughts on proposals. During the conversation, a number of committee members mentioned there appear to be a variety of strong opinions in the membership regarding Proposal Nos. 2008-32 and 2008-35 pertaining to nontraditional course work.

3. **2009 NCAA Convention**.

a. Review of Division I meetings schedule and events involving the committee. The members of the Communications and Coordination Committee were invited to attend the following events scheduled for the 2009 NCAA Convention:

Thursday, January 15

- Leadership Council/Legislative Council/CCA Luncheon 11:30 a.m. – 1 p.m.
- Leadership Council meeting – 1 – 3:30 p.m.

Note: Committee members should plan to share information with the Leadership Council regarding their cabinets'/councils' guiding principles and agenda priorities. Additionally, committee members will also be asked to participate in a conversation regarding efforts to develop a more coordinated Division I governance agenda.

Friday, January 16

- SAAC/Leadership Council/Legislative Council breakfast – 8 – 9:30 a.m.
- Division I Issues/Legislative Forum 9:30 – 11:30 a.m. and 1 – 3 p.m.
- Division I Business Session – Membership's consideration of the override request on Proposal No. 2007-30-c.
- Communications and Coordination Committee in-person meeting. 4 – 6 p.m.

b. Preparation for the panel discussion during the Division I Issues/Legislative Forum. The committee was informed that the structure for the forum is based on the Division I governance structure, it being suggested that the membership would like a "roadmap" of the new structure. The chairs of both the Leadership Council and the Legislative Council have been asked to participate in the forum, with the Leadership Council chair being asked to engage the membership in a review of the big issues on the

Division I agenda and the Legislative Council chair being asked to provide an overview of that council's legislative actions. The cabinet chairs have been invited to participate on a panel where members will be provided time to review their cabinet's charge, guiding principles and agenda priorities. The cabinet chairs were asked to identify the key initiatives that they would like to highlight during the panel discussion and to note any issues that may require additional time for discussion. Once that information is shared with the Division I governance staff, the staff will develop a guiding outline to help structure the panel discussion. The members noted the importance of trying to engage the membership in discussion.

c. Identification of possible agenda items for the January 16, 2009, in-person meeting. The committee discussed potential agenda topics for the in-person meeting. In addition to the issues identified by staff, which included an update on championships travel and an amateurism update, the group suggested a conversation focused on communication. This conversation would include issues pertaining communication with the conference offices, communication within conferences, communication between governance bodies and coordination with the Board of Directors agenda.

d. Brief preview of the January Leadership Council, Legislative Council and Board of Directors meeting agendas. The committee was provided copies of the agendas for the Division I governance meetings held in conjunction with the 2009 NCAA Convention. The members were encouraged to review the information to help prepare for the Convention.

4. Future call dates. The committee agreed that the in-person meeting on January 16 should be used to help prepare for the February series of cabinet meetings. During the in-person meeting, the committee will seek to identify future call dates.

5. Adjournment. The call was adjourned at 1:20 EST.

####

A G E N D A

National Collegiate Athletic Association
Division I Leadership Council

Gaylord National Resort & Convention Center — January 15, 2009
Washington D.C. — 10 a.m. to 3:30 p.m.

Session I

Leadership Council meeting with the Collegiate Commissioners Association. (10 – 11:30 a.m.)

1. Welcome and introductions.

2. Discussion regarding ways to enhance the level of communication and cooperation between the CCA and the Leadership Council.

3. Status report and review of proposed timeline for membership consideration of the recommendations of the Men's Basketball Academic Enhancement Group and the Women's Basketball Issues Committee in advance of conference spring meetings. [Supplement No. 1]

4. Discussion regarding proposed championships travel initiatives and NCAA budget priorities. [Supplement No. 2]

5. Status report regarding potential Division I membership principles and standards. [Supplement No. 3]

6. Review of permissible uses of the Student-Athlete Opportunity Fund. [Supplement No. 4]

Session II

Leadership Council, Legislative Council and Collegiate Commissioners Association Luncheon. (11:30 a.m. – 1 p.m.)

1. Welcome and introductions.

2. Review of key legislative actions from the January 14 – 15, 2009, Legislative Council meeting.

3. Discussion regarding how the councils and conferences can effectively work together to help shape a meaningful and coordinated Division I agenda.

Session III

Leadership Council meeting. (1 – 3:30 p.m.)

1. Visit with NCAA President Myles Brand.

2. Follow-up from the joint Leadership Council – Collegiate Commissioners Association meeting. Additional discussion of the following agenda items:

   a. Discussion regarding ways to enhance the level of cooperation between the CCA and the Leadership Council.

   b. Status report and review of proposed timeline for membership consideration of the work of the Men's Basketball Academic Enhancement Group and the recommendations of the Women's Basketball Issues Committee in advance of conference spring meetings. [Supplement No. 1; included in Section I.]

   c. Discussion regarding proposed championships travel initiatives and NCAA budget priorities. [Supplement No. 2; included in Section I.]

   d. Examination and discussion regarding potential Division I membership principles and standards. [Supplement No. 3; included in Section I.]

e. Confirmation of permissible uses of the Student-Athlete Opportunity Fund. [Supplement No. 4; included in Section 1.] [Anticipated action item]

3. Discussion regarding methods to enhance the level of diversity in the Division I governance structure. [Supplement No. 5]

4. Governance Update.

a. Division I matters.

(1) Report from the November 5 2008, Leadership Council meeting. [Supplement No. 6]

(2) Discussion of legislative actions taken by the Legislative Council in advance of the January 17 Division I Board of Directors meeting. [Supplement No. 7; Time permitting an addendum may be distributed at the meeting.]

(3) Report from the Communications and Coordination Committee. [Supplement No. 8 will be distributed at the meeting.]

(4) Discussion with the Division I cabinet chairs regarding Division I priorities.

(5) Report from the Student-Athlete Advisory Committee. [Supplement No. 9. An addendum possibly provided at the meeting.]

b. Status reports on other Division I initiatives.

[Note: These reports will be provided to review the status of the projects and the anticipated timeline for consideration of the final reports by the Division I governance structure. No substantive discussion or action is anticipated.]

(1) Task Force on Commercial Activities in Intercollegiate Athletics. [Supplement No. 10; An addendum will be distributed via e-mail as soon as it is complete.]

(2) Football Academic Working Group. [Supplement No. 11. An addendum will be distributed at the meeting.]

(3) Amateurism Cabinet review of issues associated with the definition of and involvement with a professional team.

c. Association-wide matters

(1) Committee on Women's Athletics. [Supplement No. 12]

(2) Sportsmanship and Ethical Conduct Committee. [Supplement No. 13]

5. News from the NCAA.

a. Litigation update. [Supplement No. 14 will be distributed at the meeting.]

b. Governmental relations report. [Supplement No. 15]

6. Review of 2009 NCAA Convention schedule. [Supplement No. 16]

7. Other items of business.

8. Adjournment.

REPORT OF THE NCAA DIVISION I LEGISLATIVE COUNCIL MEETING JANUARY 14-15, 2009

ACTION ITEM.

- None.

INFORMATIONAL ITEMS.

1. **Legislative Actions.** A list of the NCAA Division I Legislative Council's legislative actions may be found in Attachment A and detailed voting results may be found in Attachment B.

[Note: Per NCAA Constitution 5.3.2.2.4.1, legislation adopted by the Legislative Council shall be subject to possible review by the NCAA Division I Board of Directors at its next meeting. At its discretion, the Board of Directors may ratify, amend or defeat legislation adopted by the Legislative Council.]

2. **Report of NCAA Division I Legislative Review/Interpretations Committee.** (Voting results may be found in Attachment B.)

a. The Legislative Council approved the minute from the October 15, 2008, conference call (No. 19) as distributed.

b. The Legislative Council did not approve the minute from the October 29, 2008, teleconference (No. 21). The Legislative Council issued the following interpretation:

Advertising an Institutional Camp or Clinic. (I) The Legislative Council determined that an institution may advertise or promote an institutional camp or clinic in any way, provided any camp or clinic advertisement or promotion (e.g., camp brochure, Web site, newspaper or magazine advertisement) stipulates that the camp or clinic is open to any and all entrants (limited only by number, age, grade level and/or gender). [References: Bylaws 13.4.1.1-(c) (summer-camp advertisements), 13.12.1.2 (attendance restriction) and an official interpretation (10/29/08, Item No. 1), which has been archived)]

c. The Legislative Council used its authority pursuant to Constitution 5.4.1.1 to modify a previously approved official interpretation (10/18/06, Item No. 1) and issue the following official interpretation:

National Team Tryouts and Exception to Outside Competition Regulations. (I) The Legislative Council determined that in order for a student-athlete to use the U.S. national team exception to the outside competition regulations to participate as a member of an outside team in an official national team or junior national team tryout, the official tryout must be one in which all student-athletes (as opposed to all athletes) are directly selected to a national team or are required to participate in order to qualify for a subsequent event from which participants will be named to a national

team or junior national team that will represent their nation in international competition. The exception is applicable to an official tryout that is structured as a series of events in which student-athletes must participate in each event (or at least one event in each level) of the series in order to be selected to the national team. The exception does not apply to events in which student-athletes are only identified for further evaluation at unrelated events for a future national team, such as league competition or events in which no elimination of potential national team participants occurs. For example, the exception applies to an official tryout in which student-athletes must participate in Event A in order to participate in Event B (or in one of several events at the Event A level in order to participate at the Event B level), and participants in Event B are selected to the national team that will participate in international competition; however, the exception does not apply to participation in Event A if student-athletes are not selected to the national team or if participation in Event A (or other events on the same level) is not required for participation in Event B. An event still may qualify as an official tryout if the appropriate national governing body has established exemptions based on objective standards (e.g., former Olympic medalists, current World Champion) by which a student-athlete who qualifies for such an exemption is not required to participate in that particular event (or level of events). [References: Bylaws 14.7.3.1-(d) (U.S. national team) and 30.8.1 (national-team criteria) and official interpretations (10/18/06, Item No. 1 and 10/15/08, Item No. 1), which have been archived]

4. Legislative Council Policies and Operating Procedures. The Legislative Council approved revised policies and operating procedures related to deadlines for submission of materials. The established deadlines specify that agenda items and appeals of interpretations issued by the Legislative Review/Interpretations Committee must be submitted eight weeks prior to the next Legislative Council meeting. Agenda items and appeal requests submitted after the eight week deadline may be added to the Legislative Council's agenda, subject to the chair's approval.

5. Future Meeting Dates.

a. April 20-21, 2009, Indianapolis, Indiana.

b. October 19-20, 2009, Indianapolis, Indiana.

Council Chair: *Joseph D'Antonio, Big East Conference*
Council Liaisons: *Lynn Holzman, Academic and Membership Affairs*
Amy Huchthausen, Academic and Membership Affairs
Steve Mallonee, Academic and Membership Affairs
Leeland Zeller, Academic and Membership Affairs

ADDENDUM
SUPPLEMENT NO. 12
DI Board of Directors 1/09

Highlights of Legislative Actions Taken by the NCAA Division I Legislative Council, January 14-15, 2009

1. Proposal Adopted by the NCAA Division I Legislative Council.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-62	COMMITTEES -- COMMITTEES REPORTING TO BOARD OF DIRECTORS -- DIVISION I PRESIDENTIAL ADVISORY GROUP -- DUTIES -- LEGISLATIVE ISSUES	NCAA Division I Management Council (Governance Subcommittee).	Immediate	To specify that members of the NCAA Division I Presidential Advisory Group who represent Football Championship Subdivision conferences shall have the authority to act on behalf of the Football Championship Subdivision members of the NCAA Division I Board of Directors on legislative issues that relate to championship subdivision football, subject to review by the full Board of Directors.	Adopted.

2. Proposals Defeated by the Legislative Council.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-32-A	ELIGIBILITY -- GENERAL ELIGIBILITY REQUIREMENTS -- FULL-TIME ENROLLMENT -- REQUIREMENT FOR COMPETITION -- NONTRADITIONAL COURSES	NCAA Division I Academics/Eligibility/ Compliance Cabinet (Subcommittee on Continuing Eligibility).	August 1, 2009	To specify that enrollment in a nontraditional course (e.g., distance-learning, correspondence, extension, Internet courses, independent study or any other course or credit that is not earned in a typical face-to-face classroom environment with regular contact hours between the instructor and the student) offered by the certifying institution may be used to satisfy the full-time enrollment requirement for competition, provided the specified conditions are met.	Defeated.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-35-A	ELIGIBILITY -- PROGRESS-TOWARD-DEGREE REQUIREMENTS -- REGULATIONS FOR ADMINISTRATION OF PROGRESS TOWARD DEGREE -- NONTRADITIONAL COURSES	NCAA Division I Academics/Eligibility/ Compliance Cabinet (Subcommittee on Continuing Eligibility).	August 1, 2009	To specify that nontraditional courses (e.g., distance-learning, correspondence, extension, Internet courses, independent study or any other course or credit that is not earned in a typical face-to-face classroom environment with regular contact hours between the instructor and the student) completed at a four-year institution other than the certifying institution, may be used to meet credit hour and percentage-of-degree requirements, provided the specified conditions are met.	Defeated.
2008-35-B	ELIGIBILITY -- PROGRESS-TOWARD-DEGREE REQUIREMENTS -- REGULATIONS FOR ADMINISTRATION OF PROGRESS TOWARD DEGREE -- NONTRADITIONAL COURSES -- UP TO 50 PERCENT OF MINIMUM REQUIREMENTS	Big Ten Conference.	August 1, 2009	To specify that nontraditional courses (e.g., distance-learning, correspondence, extension, Internet courses, independent study or any other course or credit that is not earned in a typical face-to-face classroom environment with regular contact hours between the instructor and the student) completed at a four-year institution other than the certifying institution, may be used to meet up to 50 percent of a student-athlete's credit hour and percentage-of-degree requirements, provided the specified conditions are met.	Defeated.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-40	FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT -- WOMEN'S VOLLEYBALL	Pacific-10 Conference.	August 1, 2009	In women's volleyball, to increase the maximum institutional grant-in-aid limitation from 12 to 13.	Defeated. Agreed that the concept should be considered as part of the NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet's examination of maximum institutional grant-in-aid limitations.
2008-41	FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT -- BASEBALL	Southeastern Conference.	August 1, 2009	In baseball, to increase the annual limit on the value of financial aid awards (equivalencies) to counters from 11.7 to 14.	Defeated. Agreed that the concept should be considered as part of the NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet's examination of maximum institutional grant-in-aid limitations.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-70	EXECUTIVE REGULATIONS -- SELECTION OF TEAMS AND INDIVIDUALS FOR CHAMPIONSHIPS PARTICIPATION -- AUTOMATIC QUALIFICATION -- ADDITIONAL REQUIREMENTS, SPORTS OTHER THAN MEN'S BASKETBALL -- MULTISPORT CONFERENCE -- DEFINITION OF CORE INSTITUTION	Mid-American Conference.	Immediate (for the 2009-10 academic year championships).	In sports other than men's basketball, to specify that for the purposes of multisport conference eligibility for automatic qualification in a particular sport, a core institution is an institution that has been an active member of Division I during the eight preceding years or an institution that has sponsored the sport at the Division I level the eight preceding years.	Defeated.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-71	EXECUTIVE REGULATIONS -- SELECTION OF TEAMS AND INDIVIDUALS FOR CHAMPIONSHIPS PARTICIPATION -- AUTOMATIC QUALIFICATION -- ADDITIONAL REQUIREMENTS, SPORTS OTHER THAN MEN'S BASKETBALL -- MULTISPORT CONFERENCE -- EXCEPTION -- MEMBER THAT HAS SPONSORED THE SPORT AT THE DIVISION I LEVEL THE EIGHT PRECEDING YEARS	Mid-American Conference.	Immediate (for the 2009-10 academic year championships).	In sports other than men's basketball, to specify that a multisport conference that falls below six core members may be considered for automatic qualification in that sport, provided the conference adds an institution to its membership (for a total of at least six members) that has sponsored the sport for the preceding eight years at the Division I level and at least six institutions (including the added institution) have conducted conference competition together at the Division I level in the sport the preceding two years.	Defeated.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-72	EXECUTIVE REGULATIONS -- SELECTION OF TEAMS AND INDIVIDUALS FOR CHAMPIONSHIPS PARTICIPATION -- AUTOMATIC QUALIFICATION -- ADDITIONAL REQUIREMENTS, SPORTS OTHER THAN MEN'S BASKETBALL -- MULTISPORT CONFERENCE -- EXCEPTION -- SPORTS SPONSORSHIP	Mid-American Conference.	Immediate (for the 2009-10 academic year championships).	In sports other than men's basketball, to specify that a multisport conference that adds a conference-sponsored sport may be considered for automatic qualification in that sport, provided at least six institutions have conducted conference competition together at the Division I level for the preceding two years and the sport is sponsored by less than 65 percent of the Division I membership.	Defeated.

3. Proposals Forwarded for Membership Review and Comment.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-13-B	AMATEURISM -- EXCEPTION FOR PRIZE MONEY FOR STUDENT-ATHLETES -- OUTSIDE THE PLAYING SEASON DURING THE SUMMER VACATION PERIOD -- INDIVIDUAL SPORTS	Big Ten Conference.	Immediate	In individual sports, to permit a student-athlete to accept prize money based on his or her place finish or performance in an open athletics event (an event that is not invitation only), provided the competition occurs outside the institution's declared playing and practice season during the institution's summer vacation period and the prize money does not exceed actual and necessary expenses and is provided only by the sponsor of the open event.	Forwarded for membership review and comment.
2008-32-B	ELIGIBILITY -- GENERAL ELIGIBILITY REQUIREMENTS -- FULL-TIME ENROLLMENT -- REQUIREMENT FOR COMPETITION -- NONTRADITIONAL COURSES -- UP TO 50 PERCENT OF MINIMUM REQUIREMENT	Big Ten Conference.	August 1, 2009	To specify that enrollment in a nontraditional course (e.g., distance-learning, correspondence, extension, Internet courses, independent study or any other course or credit that is not earned in a typical face-to-face classroom environment with regular contact hours between the instructor and the student) offered by the certifying institution may be used to satisfy up to 50 percent of the minimum full-time enrollment requirement for competition, provided the specified conditions are met.	Forwarded for membership review and comment.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-34	ELIGIBILITY -- FRESHMAN ACADEMIC REQUIREMENTS -- CORE CURRICULUM TIME LIMITATION -- STUDENTS WITH EDUCATION IMPACTING DISABILITIES	NCAA Division I Academics/Eligibility/Compliance Cabinet (Subcommittee on Initial-Eligibility Issues).	August 1, 2009, for student-athletes initially enrolling full time in a collegiate institution on or after August 1, 2009.	To specify that if a prospective student-athlete with a diagnosed education-impacting disability graduates from high school within the core-curriculum time limitation, he or she may use up to three core courses completed after high school graduation to satisfy the core-curriculum or minimum grade-point average requirements, or both.	Forwarded for membership review and comment.
2008-46	PLAYING AND PRACTICE SEASONS -- BASEBALL -- PRESEASON PRACTICE AND FIRST CONTEST -- CHAMPIONSHIP SEGMENT	Conference USA.	Immediate	In baseball, to specify that in the championship segment, an institution shall not commence practice sessions prior to the Friday that is three weeks prior to the first permissible contest date for the championship segment and shall not play its first contest (game or scrimmage) with outside competition prior to the Friday in February that is 14 weeks before the Friday immediately preceding Memorial Day.	Forwarded for membership review and comment.
2008-48	PLAYING AND PRACTICE SEASONS -- BASEBALL -- MAXIMUM NUMBER OF CONTESTS -- 52	Pacific-10 Conference, Big South Conference and West Coast Conference.	August 1, 2009	In baseball, to reduce the maximum number of contests from 56 to 52.	Forwarded for membership review and comment.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-59	DIVISION MEMBERSHIP -- DEFINITIONS AND APPLICATIONS -- EMERGING SPORTS FOR WOMEN -- ARCHERY, BADMINTON, SYNCHRONIZED SWIMMING, TEAM HANDBALL AND SAND VOLLEYBALL	NCAA Division I Management Council (Administrative Committee) (Committee on Women's Athletics).	August 1, 2009, for the removal of archery, badminton, synchronized swimming and team handball; August 1, 2010 for the addition of sand volleyball.	To add sand volleyball as an emerging sport for women; further, to remove archery, badminton, synchronized swimming and team handball as emerging sports for women and to eliminate other specified legislation associated with these sports (e.g., playing and practice season regulations, sports sponsorship minimum contest and participant requirements).	Parts A, B, C, E, F, G, H, I, K and L (removing specified sports) adopted. Parts D and J (adding sand volleyball) forwarded for membership review and comment.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-75	ELIGIBILITY -- FRESHMAN ACADEMIC REQUIREMENTS -- ELIGIBILITY FOR FINANCIAL AID, PRACTICE AND COMPETITION -- QUALIFIER -- EXCEPTION -- EARLY ACADEMIC CERTIFICATION -- SUBMISSION OF TRANSCRIPT	NCAA Division I Board of Directors (Academics Cabinet).	August 1, 2009	To specify that if a student-athlete is certified as a qualifier pursuant to the early academic certification exception and his or her initial full-time collegiate enrollment occurs at the certifying institution during the first term of the academic year, the institution shall ensure submission of his or her final high school transcript (official or unofficial) to the NCAA Eligibility Center by February 1 following the student-athlete's initial full-time enrollment; to specify that if a student-athlete is certified as a qualifier pursuant to the early academic certification exception and his or her initial full-time collegiate enrollment occurs at the certifying institution after the conclusion of the first term of the academic year, the institution shall ensure submission his or her final high school transcript (official or unofficial) to the Eligibility Center by one year after the February 1 following the student-athlete's initial full-time enrollment; further, to specify that a violation of this provision shall be considered an institutional violation, however, the student-athlete's eligibility shall not be affected.	Approved an amendment to revise the deadline for submission of the transcript as reflected in the revised intent statement. Defeated an amendment to specify that a student-athlete would become ineligible for competition if the transcript were not submitted by the deadline. Forwarded for membership review and comment, as amended.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-77	ELIGIBILITY -- TRANSFER REGULATIONS -- TWO-YEAR COLLEGE TRANSFERS -- SUBMISSION OF INFORMATION NECESSARY TO DETERMINE ACADEMIC INITIAL-ELIGIBILITY STATUS	NCAA Division I Board of Directors.	August 1, 2010; applicable to two-year college and 4-2-4 transfer student-athletes who initially enroll in a Division I institution on or after August 1, 2010.	To specify that an institution shall ensure submission of all necessary information (e.g., high school transcripts, test scores), which may include official or unofficial transcripts and test scores, to the Eligibility Center to determine the academic initial-eligibility status of a two-year college or 4-2-4 transfer student-athlete prior to the end of the student-athlete's first regular academic term of full-time enrollment at the institution; further, to specify that a violation of this provision shall be considered an institutional violation; however, the student-athlete's eligibility will not be affected.	Approved an amendment to permit submission of unofficial transcripts and test scores as reflected in the revised intent statement. Forwarded for membership review and comment, as amended.

ATTACHMENT A
SUPPLEMENT NO. 12
DI Board of Directors 1/09

NCAA Division I Legislative Council January 2009 Legislative Actions

1. Proposal Recommended as Emergency or Noncontroversial Legislation

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-76	RECRUITING -- TRYOUTS AND SPORTS CAMPS AND CLINICS -- DEFINITION OF PROSPECTIVE STUDENT-ATHLETE -- MEN'S BASKETBALL	NCAA Division I Championships/Sports Management Cabinet (Men's Basketball Issues Committee).	Immediate	In men's basketball, for purposes of the tryout rule and the regulations related to camps and clinics, to specify that a prospective student-athlete is an individual who has started classes for the seventh grade.	Initially not supported as emergency or noncontroversial legislation. Upon reconsideration, supported as emergency or noncontroversial legislation. Adopted.

2. Proposal Referred by the Former NCAA Division I Management Council in April 2008.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2007-92	PLAYING AND PRACTICE SEASONS -- FOOTBALL -- ACCLIMATIZATION PERIOD AND SPRING PRACTICE -- PROTECTIVE EQUIPMENT -- FBS	Big East Conference.	Immediate	In Bowl Subdivision Football, to specify that a student-athlete may wear lightweight, upper body protective gear (e.g., shock vest, spider pads, padded shirt) during the first two days of the acclimatization period and during noncontact spring practice sessions.	Defeated.

3. Actions Related to 2008-09 Legislative Cycle Proposals.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-9	NCAA MEMBERSHIP AND CHAMPIONSHIPS AND POSTSEASON FOOTBALL -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- OPERATING AND CAPITAL FINANCIAL DATA REPORT	NCAA Division I Board of Directors.	August 1, 2009	To specify that an institution shall submit financial data detailing operating revenues, expenses and capital related to its intercollegiate athletics program to the NCAA on an annual basis, as specified, as a condition and obligation of membership and in order to be eligible to enter a team or individual in NCAA championship competition.	Adopted.
2008-11-A	PERSONNEL -- LIMITATIONS ON THE DUTIES OF COACHES -- NONCOACHING ACTIVITIES -- EXCEPTION -- STUDENT-MANAGERS -- BASEBALL -- UP TO FOUR -- NO ELIGIBILITY FOR COMPETITION IN THE SAME YEAR	Pacific-10 Conference.	Immediate	In baseball, to specify that up to four student-managers may be involved in on-field activities (e.g., catching in the bullpen, pitching batting practice, hitting fungoes, shagging balls) without counting in the institution's coaching limitations, provided such a student manager participates in the activities within five years of his or her initial full-time collegiate enrollment and does not provide instruction to student-athletes or engage in other coaching activities; further, to specify that a student manager shall not be eligible for varsity intercollegiate competition in the same year in which the individual serves as a student manager.	Defeated.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-11-B	PERSONNEL -- LIMITATIONS ON THE DUTIES OF COACHES -- NONCOACHING ACTIVITIES -- EXCEPTION -- STUDENT-MANAGERS -- BASEBALL -- NO MORE THAN TWO -- NO ELIGIBILITY FOR COMPETITION	Big Ten Conference.	Immediate	In baseball, to specify that no more than two student managers may be involved in on-field activities (e.g., catching in the bullpen, pitching batting practice, hitting fungoes, shagging balls) without counting in the institution's coaching limitations, provided such a student manager participates in the activities within five years of his or her initial full-time collegiate enrollment and does not provide instruction to student-athletes or engage in other coaching activities; further, to specify that such a student manager shall be permanently ineligible for intercollegiate competition.	Defeated.
2008-11-C	PERSONNEL -- LIMITATIONS ON THE DUTIES OF COACHES -- NONCOACHING ACTIVITIES -- EXCEPTION -- STUDENT-MANAGERS -- BASEBALL -- NO MORE THAN TWO -- NO ELIGIBILITY FOR TWO YEARS	Big Ten Conference.	Immediate	In baseball, to specify that no more than two student managers may be involved in on-field activities (e.g., catching in the bullpen, pitching batting practice, hitting fungoes, shagging balls) without counting in the institution's coaching limitations, provided such a student manager participates in the activities within five years of his or her initial full-time collegiate enrollment and does not provide instruction to student-athletes or engage in other coaching activities; further, to specify that individual who serves as a student manager shall be ineligible for intercollegiate competition in baseball for a two-year period after ceasing service as a student-manager.	Defeated.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-12	PERSONNEL -- LIMITATIONS ON NUMBER OF OFF-CAMPUS RECRUITERS AT ANY ONE TIME -- EXCEPTION -- BASKETBALL -- JULY EVALUATION PERIODS	Big East Conference.	Immediate	In basketball, to specify that during the July evaluation periods, a coach replaced for the purpose of off-campus recruiting activities is not required to return to the institution's campus before engaging in additional recruiting activities, provided no more than three coaches engage in off-campus recruiting activities each day.	Defeated an amendment to specify that all four coaches may evaluate prospective student-athletes at the same time during the July evaluation periods. Forwarded for membership review and comment.
2008-13-A	AMATEURISM -- EXCEPTION FOR PRIZE MONEY FOR STUDENT-ATHLETES -- OUTSIDE THE PLAYING SEASON DURING AN OFFICIAL VACATION PERIOD -- INDIVIDUAL SPORTS	Pacific-10 Conference.	August 1, 2009	In individual sports, to permit a student-athlete to accept prize money based on his or her place finish or performance in an open athletics event (an event that is not invitation only), provided the competition occurs outside the institution's declared playing and practice season during any official vacation period and the prize money does not exceed actual and necessary expenses and is provided only by the sponsor of the open event.	Approved an amendment to delay the effective date to August 1, 2009. Defeated, as amended.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-13-B	AMATEURISM -- EXCEPTION FOR PRIZE MONEY FOR STUDENT-ATHLETES -- OUTSIDE THE PLAYING SEASON DURING THE SUMMER VACATION PERIOD -- INDIVIDUAL SPORTS	Big Ten Conference.	Immediate	In individual sports, to permit a student-athlete to accept prize money based on his or her place finish or performance in an open athletics event (an event that is not invitation only), provided the competition occurs outside the institution's declared playing and practice season during the institution's summer vacation period and the prize money does not exceed actual and necessary expenses and is provided only by the sponsor of the open event.	Forwarded for membership review and comment.
2008-14	RECRUITING -- DEFINITIONS AND APPLICATIONS -- PROSPECTIVE STUDENT-ATHLETE -- ENROLLMENT AND ATTENDANCE IN SUMMER CLASSES PRIOR TO INITIAL FULL-TIME ENROLLMENT	NCAA Division I Academics/Eligibility/Compliance Cabinet (Subcommittee on Recruiting).	Immediate	To specify that an individual shall no longer be considered a prospective student-athlete for purposes of the contact limitations in Bylaw 13 and shall be considered a student-athlete for purposes of Bylaw 16 at the point in which he or she officially registers and enrolls and attends classes in an institution's summer term prior to initial full-time enrollment.	Adopted.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-15-A	RECRUITING -- DEFINITIONS AND APPLICATIONS -- PROSPECTIVE STUDENT-ATHLETE -- REQUIRED INSTITUTIONAL ORIENTATION SESSION	Southeastern Conference.	Immediate	To specify that a recruited 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.	Defeated.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-15-B	RECRUITING -- DEFINITIONS AND APPLICATIONS -- PROSPECTIVE STUDENT-ATHLETE -- INSTITUTIONAL ORIENTATION SESSION	Big Ten Conference.	Immediate	To specify that a recruited 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 an institutional orientation session that is open to all incoming students 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 NCAA Bylaw 13 and shall be considered a student-athlete for purposes of Bylaw 16 as of the opening day of the orientation session.	Forwarded for membership review and comment.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-16	RECRUITING -- CONTACTS AND EVALUATIONS -- CONTACTABLE INDIVIDUALS -- STUDENT-ATHLETE WITHDRAWN FROM FOUR-YEAR COLLEGE -- EXCEPTION -- OFFICIAL CHURCH MISSION	Western Athletic Conference.	August 1, 2009	To specify that an institution shall not contact a student-athlete who has begun service on an official church mission without obtaining permission from the institution from which the student-athlete withdrew prior to beginning his or her mission if the student-athlete signed a National Letter of Intent (NLI) and attended the institution (with which he or she signed the NLI as a full-time student; further, to specify that if such a student-athlete has completed his or her official church mission and does not enroll full time in a collegiate institution within one calendar year of completion of the mission, an institution may contact the student-athlete without obtaining permission from the first institution.	Adopted.
2008-17	RECRUITING -- CONTACTS AND EVALUATIONS -- PERMISSIBLE RECRUITERS -- BOWL SUBDIVISION FOOTBALL -- HEAD COACH RESTRICTIONS -- SPRING EVALUATION PERIOD -- OTHER OFF-CAMPUS ACTIVITIES	Southeastern Conference.	Immediate	In bowl subdivision football, to specify that the head coach shall not participate in an off-campus coaching clinic, visit a prospective student-athlete's educational institution for any reason or meet with a prospective student-athlete's coach at an off-campus location during the April 15 through May 31 evaluation period.	Adopted.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-18	RECRUITING -- TELEPHONE CALLS INITIATED BY A PROSPECTIVE STUDENT-ATHLETE AT HER OWN EXPENSE -- WOMEN'S LACROSSE	Ivy Group.	August 1, 2009	In women's lacrosse, to specify that an institutional coaching staff member may receive telephone calls placed by a prospective student-athlete at her own expense before July 1 following her junior year in high school, provided the coaching staff member does not request that the a prospective student-athlete call at a specific time or otherwise prearrange the telephone call; further; to specify that telephone calls placed after July 1 following the prospective student-athlete's junior year in high school may be prearranged.	Defeated.
2008-19	RECRUITING -- CONTACTS AND EVALUATIONS -- FOOTBALL -- ONE CONTACT WITH JUNIORS OR SENIORS -- SPRING EVALUATION PERIOD	Big Ten Conference.	Immediate	In football, to specify that during the spring evaluation period, an institution may make one in-person, off-campus contact per prospective student-athlete (including prospective student-athletes in their junior year) at the prospective student-athlete's educational institution; further, to specify that an institution may use an additional evaluation in conjunction with the contact.	FBS: Forwarded for membership review and comment. FCS: Forwarded for membership review and comment.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-20-A	RECRUITING -- FOOTBALL EVALUATIONS -- SCHOLASTIC AND NONSCHOLASTIC ACTIVITIES -- EVENTS ORGANIZED AND CONDUCTED BY SCHOLASTIC ATHLETICS GOVERNANCE BODIES -- OTHER EVALUATION EVENTS	Southeastern Conference.	Immediate	In football, to specify that live athletics evaluations are permissible at events organized and conducted solely by a scholastic athletics governing body (e.g., state high school athletics association, junior college athletics association); further, to specify that institutional staff members shall not attend a recruiting event in which information (e.g., athletics or academic credentials, highlight video) related to prospective student-athletes is presented or otherwise made available.	FBS: Forwarded for membership review and comment. FCS: Forwarded for membership review and comment.
2008-20-B	RECRUITING -- FOOTBALL EVALUATIONS -- SCHOLASTIC AND NONSCHOLASTIC ACTIVITIES -- OTHER EVALUATION EVENTS	NCAA Division I Legislative Council.	Immediate	In football, to specify that institutional staff members shall not attend a recruiting event in which information (e.g., athletics or academic credentials, highlight video) related to prospective student-athletes is presented or otherwise made available.	FBS: Forwarded for membership review and comment. FCS: Forwarded for membership review and comment.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-21	RECRUITING -- ADMISSIONS AND GRADUATION DATA, BANNED DRUG LIST AND INITIAL-ELIGIBILITY STANDARDS -- REPORTS AND NOTIFICATION -- ELIGIBILITY CENTER	Big 12 Conference.	August 1, 2010	To specify that the NCAA Eligibility Center shall provide the information contained within the disclosure reports related to admissions, graduation-rate data, academic progress rate and graduation success rate to a prospective student-athlete and his or her parents or legal guardians after he or she has registered with the Eligibility Center and the Eligibility Center has received an institution's request to add the prospective student-athlete to the institution's institutional request list; further, to specify that the Eligibility Center shall provide notification of initial-eligibility standards, the banned drug list and information about nutritional supplements to a prospective student-athlete after he or she has registered with the Eligibility Center.	Adopted.
2008-22	RECRUITING -- PRINTED RECRUITING MATERIALS -- INSTITUTIONAL POSTCARDS	Big 12 Conference.	August 1, 2009	To specify that an institutional postcard may be provided to a prospective student-athlete, his or her parents or legal guardians, his or her coach or any other individual responsible for teaching or directing an activity in which a prospective student-athlete is involved, provided its dimensions do not exceed 4 1/4 by 6 inches, it contains only the institution's name and logo or an athletics logo on one side when produced and it includes only handwritten information, (e.g., words, illustrations) on the opposite side when provided to a prospective student-athlete.	Adopted.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-23	RECRUITING -- RECRUITING MATERIALS -- ELECTRONIC TRANSMISSIONS -- EXCEPTION -- AFTER RECEIPT OF ROOM OR TUITION DEPOSIT	Southern Conference.	Immediate	To specify that on or after May 1 of a prospective student-athlete's senior year in high school, there shall be no limit on the forms of electronically transmitted correspondence that may be sent by an institution to the prospective student-athlete, provided the institution has received his or her room or tuition deposit in response to the institution's offer of admission.	Adopted.
2008-24	RECRUITING -- RECRUITING MATERIALS -- OTHER RECRUITING MATERIALS POSTED TO INSTITUTION'S WEB SITE	Atlantic Coast Conference.	Immediate	To specify that general information (e.g., information not created for recruiting purposes) posted to an institution's Web site (e.g., press release, competition schedule) may be sent to a prospective student-athlete via electronic mail as an attachment or a hyperlink or such information may be printed on plain white paper with black ink and provided to a prospective student-athlete as an attachment to general correspondence, via facsimile or during any permissible on- or off-campus contact.	Adopted.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-25-A	RECRUITING -- OFFICIAL VISIT AND LETTER OF INTENT PROGRAMS -- REQUIREMENTS FOR OFFICIAL VISIT AND OFFERS OF ATHLETICALLY RELATED FINANCIAL AID -- COMPLETION OF AMATEURISM CERTIFICATION QUESTIONNAIRE	NCAA Division I Academics/Eligibility/Compliance Cabinet (Subcommittee on Agents and Amateurism and Subcommittee on Recruiting).	August 1, 2009	To specify that a high school, preparatory school or transfer (if applicable) prospective student-athlete must complete the amateurism certification questionnaire administered by the 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.	Defeated.
2008-25-B	RECRUITING -- LETTER OF INTENT PROGRAMS -- REQUIREMENTS FOR OFFERS OF ATHLETICALLY RELATED FINANCIAL AID -- COMPLETION OF AMATEURISM CERTIFICATION QUESTIONNAIRE	NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet.	August 1, 2009	To specify that an institution shall not provide a high school, preparatory school or transfer (if applicable) prospective student-athlete a written offer of athletically related financial aid until he or she has completed the amateurism certification questionnaire administered by the Eligibility Center.	Defeated.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-25-C	RECRUITING -- OFFICIAL VISIT AND LETTER OF INTENT PROGRAMS -- REQUIREMENTS FOR OFFICIAL VISIT AND OFFERS OF ATHLETICALLY RELATED FINANCIAL AID -- COMPLETION OF AMATEURISM CERTIFICATION QUESTIONNAIRE -- DELAYED EFFECTIVE DATE	Big Ten Conference.	August 1, 2010	To specify that a high school, preparatory school or transfer (if applicable) prospective student-athlete must complete the amateurism certification questionnaire administered by the 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.	Defeated.
2008-25-D	RECRUITING -- LETTER OF INTENT PROGRAMS -- REQUIREMENTS FOR OFFERS OF ATHLETICALLY RELATED FINANCIAL AID -- COMPLETION OF AMATEURISM CERTIFICATION QUESTIONNAIRE -- DELAYED EFFECTIVE DATE	Big Ten Conference.	August 1, 2010	To specify that an institution shall not provide a high school, preparatory school or transfer (if applicable) prospective student-athlete a written offer of athletically related financial aid until he or she has completed the amateurism certification questionnaire administered by the Eligibility Center.	Forwarded for membership review and comment.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-27	RECRUITING -- UNOFFICIAL VISIT -- HOUSING -- LODGING IN DORMITORIES -- ADDITIONAL RESTRICTION -- WOMEN'S LACROSSE	Ivy Group.	Immediate	In women's lacrosse, to specify that an institution's athletics department staff member shall not arrange lodging for a prospective student-athlete on an unofficial visit in an enrolled student-athlete's residence (e.g., dormitory room, apartment) until August 1 following the prospective student-athlete's junior year in high school.	Defeated.
2008-28	RECRUITING -- FINANCIAL AID AGREEMENTS -- OFFERS OF AID BEFORE JULY 1 FOLLOWING JUNIOR YEAR -- WOMEN'S LACROSSE	Ivy Group.	August 1, 2009	In women's lacrosse, to specify that an institution shall not offer (or indicate that it will or may offer), orally or in writing, athletically related financial aid, other institutional financial aid or admissions assistance before July 1 following the prospective student-athlete's junior year in high school; further, to specify that an institution shall not accept any commitment from a prospective student-athlete before July 1 following the prospective student-athlete's junior year in high school.	Defeated.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-29	RECRUITING -- TRYOUTS -- EXCEPTIONS -- VOLUNTARY SUMMER CONDITIONING -- SPORTS OTHER THAN FOOTBALL AND BASKETBALL	Southeastern Conference.	Immediate	In sports other than football and basketball, to specify that a prospective student-athlete may engage in voluntary summer workouts conducted by an institution's strength and conditioning coach with department-wide duties and may receive workout apparel (on an issuance and retrieval basis), provided he or she is enrolled in the institution's summer term prior to the student's initial full-time enrollment at the certifying institution; further, to specify that an institution may finance medical expenses for a prospective student-athlete who sustains an injury while participating in such workouts.	Forwarded for membership review and comment.
2008-30-A	RECRUITING -- SPORTS CAMPS AND CLINICS -- EMPLOYMENT AT CAMP OR CLINIC -- HIGH SCHOOL, PREPARATORY-SCHOOL TWO-YEAR COLLEGE COACHES OR OTHER INDIVIDUALS INVOLVED WITH PROSPECTIVE STUDENT-ATHLETES -- EMPLOYMENT AS SPEAKER -- BASKETBALL	NCAA Division I Championships/ Competition Cabinet (Men's Basketball Issues Committee).	Immediate	In basketball, to specify that an institution shall not employ (either on a salaried or a volunteer basis) a speaker in any basketball camp or clinic (including a coaches clinic or a camp or clinic involving nonprospective student-athletes) who is involved in coaching prospective student-athletes or is associated with a prospective student-athlete as a result of the prospective student-athlete's participation in basketball; further, to specify that such an individual may be employed as a camp counselor, but may not perform speaking duties other than those normally associated with camp counselor duties (e.g., skill instruction).	Rendered moot by the adoption of Proposal No. 2008-30-B.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-30-B	RECRUITING -- ENTERTAINMENT, REIMBURSEMENT AND EMPLOYMENT OF HIGH SCHOOL/COLLEGE-PREPARATORY SCHOOL/TWO-YEAR COLLEGE COACHES -- EMPLOYMENT AS SPEAKER/PRESENTER IN ATHLETICALLY RELATED INSTITUTIONAL ACTIVITIES -- BASKETBALL	NCAA Division I Legislative Council.	Immediate	In basketball, to specify that an institution shall not employ (either on a salaried or a volunteer basis) an individual who is involved in coaching prospective student-athletes or is associated with a prospective student-athlete as a result of the prospective student-athlete's participation in basketball as a speaker or presenter at any athletically related events or activities (e.g., camps or clinics, booster club functions, as outside consultant).	Adopted.
2008-32-A	ELIGIBILITY -- GENERAL ELIGIBILITY REQUIREMENTS -- FULL-TIME ENROLLMENT -- REQUIREMENT FOR COMPETITION -- NONTRADITIONAL COURSES	NCAA Division I Academics/Eligibility/Compliance Cabinet (Subcommittee on Continuing Eligibility).	August 1, 2009	To specify that enrollment in a nontraditional course (e.g., distance-learning, correspondence, extension, Internet courses, independent study or any other course or credit that is not earned in a typical face-to-face classroom environment with regular contact hours between the instructor and the student) offered by the certifying institution may be used to satisfy the full-time enrollment requirement for competition, provided the specified conditions are met.	Defeated.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-32-B	ELIGIBILITY -- GENERAL ELIGIBILITY REQUIREMENTS -- FULL-TIME ENROLLMENT -- REQUIREMENT FOR COMPETITION -- NONTRADITIONAL COURSES -- UP TO 50 PERCENT OF MINIMUM REQUIREMENT	Big Ten Conference.	August 1, 2009	To specify that enrollment in a nontraditional course (e.g., distance-learning, correspondence, extension, Internet courses, independent study or any other course or credit that is not earned in a typical face-to-face classroom environment with regular contact hours between the instructor and the student) offered by the certifying institution may be used to satisfy up to 50 percent of the minimum full-time enrollment requirement for competition, provided the specified conditions are met.	Forwarded for membership review and comment.
2008-33	ELIGIBILITY -- SEASONS OF COMPETITION -- FIVE-YEAR RULE -- CRITERIA FOR DETERMINING SEASON OF ELIGIBILITY -- DELAYED ENROLLMENT -- WOMEN'S VOLLEYBALL	NCAA Division I Academics/Eligibility/Compliance Cabinet (Subcommittee on Continuing Eligibility).	August 1, 2010, for student-athletes initially enrolling full time in a collegiate institution on or after August 1, 2010.	In women's volleyball, to specify that a student-athlete who does not initially enroll full time in a collegiate institution within one year following the high school graduation date of the student-athlete's class and participates in organized events after the one-year period, shall be charged with a season of intercollegiate competition for each year of participation and shall fulfill an academic year in residence on matriculation at the certifying institution before being eligible to represent the institution in intercollegiate competition.	Adopted.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-34	ELIGIBILITY -- FRESHMAN ACADEMIC REQUIREMENTS -- CORE CURRICULUM TIME LIMITATION -- STUDENTS WITH EDUCATION IMPACTING DISABILITIES	NCAA Division I Academics/Eligibility/Compliance Cabinet (Subcommittee on Initial-Eligibility Issues).	August 1, 2009, for student-athletes initially enrolling full time in a collegiate institution on or after August 1, 2009.	To specify that if a prospective student-athlete with a diagnosed education-impacting disability graduates from high school within the core-curriculum time limitation, he or she may use up to three core courses completed after high school graduation to satisfy the core-curriculum or minimum grade-point average requirements, or both.	Forwarded for membership review and comment.
2008-35-A	ELIGIBILITY -- PROGRESS-TOWARD-DEGREE REQUIREMENTS -- REGULATIONS FOR ADMINISTRATION OF PROGRESS TOWARD DEGREE -- NONTRADITIONAL COURSES	NCAA Division I Academics/Eligibility/Compliance Cabinet (Subcommittee on Continuing Eligibility).	August 1, 2009	To specify that nontraditional courses (e.g., distance-learning, correspondence, extension, Internet courses, independent study or any other course or credit that is not earned in a typical face-to-face classroom environment with regular contact hours between the instructor and the student) completed at a four-year institution other than the certifying institution, may be used to meet credit hour and percentage-of-degree requirements, provided the specified conditions are met.	Defeated.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-35-B	ELIGIBILITY -- PROGRESS-TOWARD-DEGREE REQUIREMENTS -- REGULATIONS FOR ADMINISTRATION OF PROGRESS TOWARD DEGREE -- NONTRADITIONAL COURSES -- UP TO 50 PERCENT OF MINIMUM REQUIREMENTS	Big Ten Conference.	August 1, 2009	To specify that nontraditional courses (e.g., distance-learning, correspondence, extension, Internet courses, independent study or any other course or credit that is not earned in a typical face-to-face classroom environment with regular contact hours between the instructor and the student) completed at a four-year institution other than the certifying institution, may be used to meet up to 50 percent of a student-athlete's credit hour and percentage-of-degree requirements, provided the specified conditions are met.	Defeated.
2008-36	ELIGIBILITY -- PROGRESS-TOWARD-DEGREE REQUIREMENTS -- ELIGIBILITY FOR COMPETITION -- INTERNATIONAL COMPETITION WAIVER -- USE OF CREDITS EARNED	Big 12 Conference.	August 1, 2009	To specify that credits earned by a student during the term or terms to which an international competition waiver applies may be used to satisfy the 24/36 hour, percentage-of-degree and grade-point average progress-toward degree requirements.	Adopted.
2008-37	ELIGIBILITY -- TRANSFER REGULATIONS -- EXCEPTIONS FOR TRANSFERS FROM FOUR-YEAR COLLEGES -- CHURCH MISSION	Western Athletic Conference.	August 1, 2009	To eliminate the church mission exception to the transfer residence requirement for transfers from four-year colleges.	Adopted.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-38	ELIGIBILITY -- TRANSFER REGULATIONS -- FOUR-YEAR COLLEGE TRANSFERS -- COMPETITION AND RECEIPT OF ATHLETICALLY RELATED FINANCIAL AID IN YEAR OF TRANSFER -- TENNIS	NCAA Division I Academics/Eligibility/Compliance Cabinet (Subcommittee on Continuing Eligibility).	August 1, 2010	In tennis, to specify that a transfer student from a four-year institution who enrolls at the certifying institution as a full-time student after the conclusion of the first term of the academic year and qualifies for an exception to the one-year residence requirement shall not be eligible for competition until the following academic year if he or she has competed during the same academic year and received athletically related financial aid during the same academic year from the previous four-year institution.	Adopted.
2008-39	ELIGIBILITY -- OUTSIDE COMPETITION, EFFECTS ON ELIGIBILITY -- EXCEPTION -- CONFERENCE ALL-STAR COMPETITION AGAINST U.S. NATIONAL TEAM -- WOMEN'S ICE HOCKEY	Ivy Group.	Immediate	In women's ice hockey, to specify that a student-athlete may compete during the academic year as a member of a conference all-star team in up to two contests against the U.S. Women's National Ice Hockey Team in the 12 months prior to the Winter Olympic Games, provided the student-athlete is academically eligible for competition at the time of the competition.	Adopted.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-40	FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT -- WOMEN'S VOLLEYBALL	Pacific-10 Conference.	August 1, 2009	In women's volleyball, to increase the maximum institutional grant-in-aid limitation from 12 to 13.	Defeated. Agreed that the concept should be considered as part of the NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet's examination of maximum institutional grant-in-aid limitations.
2008-41	FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT -- BASEBALL	Southeastern Conference.	August 1, 2009	In baseball, to increase the annual limit on the value of financial aid awards (equivalencies) to counters from 11.7 to 14.	Defeated. Agreed that the concept should be considered as part of the NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet's examination of maximum institutional grant-in-aid limitations.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-42	AWARDS, BENEFITS AND EXPENSES -- COMPLIMENTARY ADMISSIONS AND TICKET BENEFITS -- POSTSEASON EVENTS	Big Ten Conference.	August 1, 2009	To specify that an institution may provide each student-athlete who participates in or is a member of a team participating in a postseason event (e.g., conference championship, NCAA championship, National Invitation Tournament, bowl game) with six complimentary admissions to all intercollegiate athletics events at the site at which the student (or team) participates.	Adopted.
2008-43	AWARDS, BENEFITS AND EXPENSES -- HOUSING AND MEALS -- FRUIT, NUTS AND BAGELS	Atlantic Coast Conference.	August 1, 2009	To specify that an institution may provide fruit, nuts and bagels to student-athletes at any time.	Forwarded for membership review and comment.
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	Atlantic Coast Conference.	Immediate	To specify that return transportation 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.	Adopted.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-45	PLAYING AND PRACTICE SEASONS -- GENERAL REGULATIONS -- SKILL INSTRUCTION -- SPORTS OTHER THAN FOOTBALL -- CONCURRENT SESSIONS	Big 12 Conference.	Immediate	In sports other than football, to specify that prior to September 15 and after April 15, no more than four student-athletes from the same team may be involved in skill-related instruction with their coaches at any one time in any one facility.	Forwarded for membership review and comment.
2008-46	PLAYING AND PRACTICE SEASONS -- BASEBALL -- PRESEASON PRACTICE AND FIRST CONTEST -- CHAMPIONSHIP SEGMENT	Conference USA.	Immediate	In baseball, to specify that in the championship segment, an institution shall not commence practice sessions prior to the Friday that is three weeks prior to the first permissible contest date for the championship segment and shall not play its first contest (game or scrimmage) with outside competition prior to the Friday in February that is 14 weeks before the Friday immediately preceding Memorial Day.	Forwarded for membership review and comment.
2008-48	PLAYING AND PRACTICE SEASONS -- BASEBALL -- MAXIMUM NUMBER OF CONTESTS -- 52	Pacific-10 Conference, Big South Conference and West Coast Conference.	August 1, 2009	In baseball, to reduce the maximum number of contests from 56 to 52.	Forwarded for membership review and comment.
2008-49	PLAYING AND PRACTICE SEASONS -- BASKETBALL -- FIRST CONTEST -- EXCEPTIONS -- INFORMAL PRACTICE SCRIMMAGES -- NO MISSED CLASS TIME	NCAA Division I Championships/Competition Cabinet (Men's Basketball Issues Committee) (Playing and Practice Seasons Subcommittee).	August 1, 2009	In basketball, to specify that no class time shall be missed in conjunction with an informal practice scrimmage, including activities associated with such scrimmages (e.g., travel, pregame and postgame activities).	Adopted.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-50	PLAYING AND PRACTICE SEASONS -- WOMEN'S BASKETBALL -- FIRST CONTEST EXCEPTIONS AND ANNUAL EXEMPTIONS -- FOREIGN TEAM IN U.S. AND USA BASKETBALL CLUB	Big East Conference.	August 1, 2009; contracts signed before August 15, 2008 may be honored.	In women's basketball, to eliminate the exception to the first contest date and the annual exemptions for exhibition contests against club members of USA Basketball and foreign teams in the U.S.	Adopted.
2008-51	PLAYING AND PRACTICE SEASONS -- PRESEASON PRACTICE -- CROSS COUNTRY, FIELD HOCKEY, WOMEN'S RUGBY, SOCCER, WOMEN'S VOLLEYBALL AND MEN'S WATER POLO	West Coast Conference.	August 1, 2009	In cross country, field hockey, women's rugby, soccer and men's water polo, to specify that an institution shall not commence practice sessions before 16 days prior to the date on which the first permissible contest or date of competition may occur; further, in women's volleyball, to specify that an institution shall not commence practice sessions before 20 days prior to the date on which the first permissible contest may occur.	Forwarded for membership review and comment.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-52	PLAYING AND PRACTICE SEASONS -- FOOTBALL -- PRESEASON PRACTICE -- LIMIT ON NUMBER OF PARTICIPANTS -- REPLACEMENT OF STUDENT-ATHLETE DUE TO INJURY OR ILLNESS	Southeastern Conference.	Immediate	In football, to specify that a student-athlete who sustains an injury or illness that prevents further participation in preseason practice activities may be replaced with another student-athlete without including that individual in the institution's limitation on the number of individuals who may participate in preseason practice.	FBS: Defeated an amendment to require contemporaneous medical documentation to be submitted to the conference office. FBS: Adopted. FCS: Forwarded for membership review and comment.
2008-53	PLAYING AND PRACTICE SEASONS -- GOLF -- MAXIMUM CONTEST LIMITATIONS -- DETERMINATION OF DATE OF COMPETITION	Big 12 Conference.	August 1, 2009	In golf, to specify that an institution is considered to have used a date of competition if five or more student-athletes participate on behalf of the institution or any number of student-athletes contribute to a team score on a particular date.	Adopted.
2008-54	PLAYING AND PRACTICE SEASONS -- GOLF -- ANNUAL EXEMPTIONS -- HAWAII OR ALASKA	Western Athletic Conference.	August 1, 2009	In golf, to specify that the dates of competition of one event (e.g., dual competition, tournament) in Hawaii or Alaska either against or under the sponsorship of an active Division I member located in Hawaii or Alaska, by a member located outside the area in question are exempted from the maximum number of dates of competition.	Forwarded for membership review and comment.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-55-A	PLAYING AND PRACTICE SEASONS -- WOMEN'S SOCCER -- FIRST CONTEST OR DATE OF COMPETITION -- 12-WEEK SEASON	Atlantic Coast Conference.	August 1, 2009	In women's soccer, to specify that an institution shall not play its first contest or engage in its first date of competition (game) with outside competition prior to the 12th weekend prior to the start of the women's soccer championship.	Forwarded for membership review and comment.
2008-55-B	PLAYING AND PRACTICE SEASONS -- SOCCER -- FIRST CONTEST OR DATE OF COMPETITION -- 11-WEEK SEASON	Ivy Group.	August 1, 2009	In women's and men's soccer, to specify that an institution shall not play its first contest or engage in its first date of competition (game) with outside competition prior to the 11th weekend prior to the start of the NCAA soccer championship.	Defeated.
2008-56	PLAYING AND PRACTICE SEASONS -- TENNIS -- MAXIMUM NUMBER OF DATES OF COMPETITION -- INDIVIDUAL SINGLES OR DOUBLES TOURNAMENT LIMITATIONS -- NUMBER OF PARTICIPANTS	NCAA Division I Championships/Competition Cabinet (Playing and Practice Seasons Subcommittee).	August 1, 2009	In tennis, to increase from three to four the number of student-athletes who may participate in an individual singles or doubles tournament without counting the event as one of the institution's dates of competition.	Adopted.
2008-57	PLAYING AND PRACTICE SEASONS -- TRACK AND FIELD -- SAFETY EXCEPTION -- HURDLES AND STEEPLECHASE	Big 12 Conference.	Immediate	To specify that a coach may be present during voluntary individual workouts in the institution's regular practice facility (without the workouts being considered as countable athletically related activities) when the student-athlete is engaged in jumping hurdles or the jumping element of the steeplechase.	Forwarded for membership review and comment.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-58	CHAMPIONSHIPS AND POSTSEASON FOOTBALL -- CRITERIA FOR ESTABLISHMENT OR CONTINUATION OF CHAMPIONSHIPS -- MINIMUM SPONSORSHIP FOR CHAMPIONSHIPS -- WOMEN'S SPORTS	NCAA Division I Management Council (Administrative Committee) (Committee on Women's Athletics).	Immediate	To specify that a National Collegiate Championship or a division championship may be established in a women's sport if at least 40 institutions sponsor the sport.	Adopted.
2008-59	DIVISION MEMBERSHIP -- DEFINITIONS AND APPLICATIONS -- EMERGING SPORTS FOR WOMEN -- ARCHERY, BADMINTON, SYNCHRONIZED SWIMMING, TEAM HANDBALL AND SAND VOLLEYBALL	NCAA Division I Management Council (Administrative Committee) (Committee on Women's Athletics).	August 1, 2009, for the removal of archery, badminton, synchronized swimming and team handball; August 1, 2010 for the addition of sand volleyball.	To add sand volleyball as an emerging sport for women; further, to remove archery, badminton, synchronized swimming and team handball as emerging sports for women and to eliminate other specified legislation associated with these sports (e.g., playing and practice season regulations, sports sponsorship minimum contest and participant requirements).	Parts A, B, C, E, F, G, H, I, K and L (removing specified sports) adopted. Parts D and J (adding sand volleyball) forwarded for membership review and comment.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-60-A	DIVISION MEMBERSHIP -- PROVISIONAL MEMBERSHIP PROCESS AND REQUESTING RECLASSIFICATION -- INSTITUTIONS SUBJECT TO ACADEMIC PERFORMANCE PROGRAM PENALTIES	NCAA Division I Management Council (Membership Subcommittee).	August 1, 2009; applicable to institutions in the provisional or reclassifying processes as of August 1, 2009, and those beginning either process on or after August 1, 2009.	To specify that the NCAA Division I Administration Cabinet may deny an institution's advancement to active Division I membership for any Division II institution seeking reclassification to Division I or any provisional member seeking active Division I status, if any of the institution's sport programs are subject to penalties pursuant to the NCAA Division I Academic Performance Program.	Adopted.
2008-60-B	DIVISION MEMBERSHIP -- PROVISIONAL MEMBERSHIP PROCESS AND REQUESTING RECLASSIFICATION -- INSTITUTIONS SUBJECT TO ACADEMIC PERFORMANCE PROGRAM PENALTIES -- EFFECTIVE DATE	Atlantic Sun Conference.	August 1, 2009; applicable to institutions beginning the provisional or reclassifying process on or after August 1, 2009.	To specify that the NCAA Division I Administration Cabinet may deny an institution's advancement to active Division I membership for any Division II institution seeking reclassification to Division I or any provisional member seeking active Division I status, if any of the institution's sport programs are subject to penalties pursuant to the NCAA Division I Academic Performance Program.	Rendered moot by the adoption of Proposal No. 2008-A.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-62	COMMITTEES -- COMMITTEES REPORTING TO BOARD OF DIRECTORS -- DIVISION I PRESIDENTIAL ADVISORY GROUP -- DUTIES -- LEGISLATIVE ISSUES	NCAA Division I Management Council (Governance Subcommittee).	Immediate	To specify that members of the NCAA Division I Presidential Advisory Group who represent Football Championship Subdivision conferences shall have the authority to act on behalf of the Football Championship Subdivision members of the Board of Directors on legislative issues that relate to championship subdivision football, subject to review by the full Board of Directors.	Adopted.
2008-63	DIVISION MEMBERSHIP -- MEMBERSHIP REQUIREMENTS -- MINIMUM PARTICIPANTS REQUIREMENTS FOR SPORTS SPONSORSHIP -- TRACK AND FIELD -- MULTI-DAY MEETS	Big East Conference.	August 1, 2009	In track and field, to specify that if the number of student-athletes participating in a multi-day meet on behalf of the institution over the course of the entire meet equals or exceeds the minimum number of participants required for sports sponsorship and the meet is conducted on consecutive days, an institution may use the competition as a contest in meeting the minimum-contest requirements.	Adopted.
2008-64	DIVISION MEMBERSHIP -- MEMBERSHIP REQUIREMENTS -- FOOTBALL BOWL SUBDIVISION REQUIREMENTS -- WAIVERS	Conference USA.	Immediate	To specify that the members of the NCAA Division I Administration Cabinet representing NCAA Division I Football Bowl Subdivision (FBS) conferences, by a two-thirds majority of those members present and voting, may grant waivers of the FBS membership requirements.	Defeated.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-65	ADMINISTRATIVE REGULATIONS -- FOREIGN TOURS AND COMPETITION -- TIMING OF TOUR -- PROHIBITION DURING ACADEMIC YEAR LABOR DAY VACATION PERIOD	NCAA Division I Management Council (Administrative Review Subcommittee).	August 1, 2009; however, institutions may honor a contract beyond this date if a contract for participation was signed before April 14, 2008.	To specify that an institution shall not participate in a foreign tour that occurs in conjunction with a Labor Day academic year vacation period.	Initially agreed to forward for membership review and comment. Upon reconsideration, adopted.
2008-66	ADMINISTRATIVE REGULATIONS -- RECRUITING CALENDARS -- FOOTBALL -- DEAD PERIOD	Big Ten Conference.	Immediate	In football, to specify that an institution shall designate two weeks (not required to be consecutive) during the months of June and July as a dead period.	FBS: Withdrawn. FCS: Defeated.
2008-67	ADMINISTRATIVE REGULATIONS -- RECRUITING CALENDARS -- SOFTBALL -- CONTACT PERIOD AUGUST 1 THROUGH THE DAY PRIOR TO THANKSGIVING DAY	Big East Conference.	Immediate	In softball, to establish a contact period from August 1 through the day prior to Thanksgiving Day.	Forwarded for membership review and comment.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-68-A	ADMINISTRATIVE REGULATIONS -- RECRUITING CALENDARS -- WOMEN'S LACROSSE -- FALL EVALUATIONS -- LIMITATION ON EVALUATIONS OF LACROSSE ACTIVITIES -- NON-SENIOR PROSPECTIVE STUDENT-ATHLETES	Ivy Group.	August 1, 2009	In women's lacrosse, to specify that during the fall contact period, evaluations of prospective student-athletes participating in lacrosse activities who have not started their senior year in high school are limited to the three weekends prior to Thanksgiving.	Defeated.
2008-68-B	ADMINISTRATIVE REGULATIONS -- RECRUITING CALENDARS -- WOMEN'S LACROSSE -- FALL EVALUATIONS -- LIMITATION ON EVALUATIONS OF LACROSSE ACTIVITIES	Ivy Group.	August 1, 2009	In women's lacrosse, to specify that during the fall contact period, evaluations of prospective student-athletes participating in lacrosse activities are limited to the three weekends prior to Thanksgiving.	Forwarded for membership review and comment.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-70	EXECUTIVE REGULATIONS -- SELECTION OF TEAMS AND INDIVIDUALS FOR CHAMPIONSHIPS PARTICIPATION -- AUTOMATIC QUALIFICATION -- ADDITIONAL REQUIREMENTS, SPORTS OTHER THAN MEN'S BASKETBALL -- MULTISPORT CONFERENCE -- DEFINITION OF CORE INSTITUTION	Mid-American Conference.	Immediate (for the 2009-10 academic year championships).	In sports other than men's basketball, to specify that for the purposes of multisport conference eligibility for automatic qualification in a particular sport, a core institution is an institution that has been an active member of Division I during the eight preceding years or an institution that has sponsored the sport at the Division I level the eight preceding years.	Defeated.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-71	EXECUTIVE REGULATIONS -- SELECTION OF TEAMS AND INDIVIDUALS FOR CHAMPIONSHIPS PARTICIPATION -- AUTOMATIC QUALIFICATION -- ADDITIONAL REQUIREMENTS, SPORTS OTHER THAN MEN'S BASKETBALL -- MULTISPORT CONFERENCE -- EXCEPTION -- MEMBER THAT HAS SPONSORED THE SPORT AT THE DIVISION I LEVEL THE EIGHT PRECEDING YEARS	Mid-American Conference.	Immediate (for the 2009-10 academic year championships).	In sports other than men's basketball, to specify that a multisport conference that falls below six core members may be considered for automatic qualification in that sport, provided the conference adds an institution to its membership (for a total of at least six members) that has sponsored the sport for the preceding eight years at the Division I level and at least six institutions (including the added institution) have conducted conference competition together at the Division I level in the sport the preceding two years.	Defeated.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-72	EXECUTIVE REGULATIONS -- SELECTION OF TEAMS AND INDIVIDUALS FOR CHAMPIONSHIPS PARTICIPATION -- AUTOMATIC QUALIFICATION -- ADDITIONAL REQUIREMENTS, SPORTS OTHER THAN MEN'S BASKETBALL -- MULTISPORT CONFERENCE -- EXCEPTION -- SPORTS SPONSORSHIP	Mid-American Conference.	Immediate (for the 2009-10 academic year championships).	In sports other than men's basketball, to specify that a multisport conference that adds a conference-sponsored sport may be considered for automatic qualification in that sport, provided at least six institutions have conducted conference competition together at the Division I level for the preceding two years and the sport is sponsored by less than 65 percent of the Division I membership.	Defeated.
2008-74	PLAYING AND PRACTICE SEASONS -- BASEBALL -- FIRST CONTEST -- CHAMPIONSHIP SEGMENT -- ALUMNI CONTEST	Big West Conference.	Immediate.	In baseball, to permit a single alumni contest to be conducted anytime after the first permissible practice date of the championship segment.	Effective date amended from August 1, 2009 to immediate. Adopted, as amended.

Proposal Number	Title	Source	Effective Date	Intent	Legislative Council Action
2008-75	ELIGIBILITY -- FRESHMAN ACADEMIC REQUIREMENTS -- ELIGIBILITY FOR FINANCIAL AID, PRACTICE AND COMPETITION -- QUALIFIER -- EXCEPTION -- EARLY ACADEMIC CERTIFICATION -- SUBMISSION OF TRANSCRIPT	NCAA Division I Board of Directors (Academics Cabinet).	August 1, 2009	To specify that if a student-athlete is certified as a qualifier pursuant to the early academic certification exception and his or her initial full-time collegiate enrollment occurs at the certifying institution during the first term of the academic year, the institution shall ensure submission of his or her final high school transcript (official or unofficial) to the NCAA Eligibility Center by February 1 following the student-athlete's initial full-time enrollment; to specify that if a student-athlete is certified as a qualifier pursuant to the early academic certification exception and his or her initial full-time collegiate enrollment occurs at the certifying institution after the conclusion of the first term of the academic year, the institution shall ensure submission his or her final high school transcript (official or unofficial) to the Eligibility Center by one year after the February 1 following the student-athlete's initial full-time enrollment; further, to specify that a violation of this provision shall be considered an institutional violation, however, the student-athlete's eligibility shall not be affected.	Approved an amendment to revise the deadline for submission of the transcript as reflected in the revised intent statement. Defeated an amendment to specify that a student-athlete would become ineligible for competition if the transcript were not submitted by the deadline. Forwarded for membership review and comment, as amended.

Proposal Number	Title	Source	Effective Date	Intent	Legislation Council Action
2008-77	ELIGIBILITY -- TRANSFER REGULATIONS -- TWO-YEAR COLLEGE TRANSFERS -- SUBMISSION OF INFORMATION NECESSARY TO DETERMINE ACADEMIC INITIAL-ELIGIBILITY STATUS	NCAA Division I Board of Directors.	August 1, 2010; applicable to two-year college and 4-2-4 transfer student-athletes who initially enroll in a Division I institution on or after August 1, 2010.	To specify that an institution shall ensure submission of all necessary information (e.g., high school transcripts, test scores), which may include official or unofficial transcripts and test scores, to the Eligibility Center to determine the academic initial-eligibility status of a two-year college or 4-2-4 transfer student-athlete prior to the end of the student-athlete's first regular academic term of full-time enrollment at the institution; further, to specify that a violation of this provision shall be considered an institutional violation; however, the student-athlete's eligibility will not be affected.	Approved an amendment to permit submission of unofficial transcripts and test scores as reflected in the revised intent statement. Forwarded for membership review and comment, as amended.
2008-79	AMATEURISM -- INVOLVEMENT WITH PROFESSIONAL TEAMS -- PROFESSIONAL BASKETBALL DRAFT -- FOUR-YEAR COLLEGE STUDENT-ATHLETE -- MEN'S BASKETBALL	NCAA Division I Board of Directors.	August 1, 2009	In men's basketball, to specify that an enrolled student-athlete may enter a professional league's draft one time during his collegiate career without jeopardizing eligibility in the sport, provided the student-athlete requests that his name be removed from the draft list and declares his intent to resume intercollegiate participation by the end of the day prior to the first day of the spring National Letter of Intent signing period for the applicable year; the student-athlete's declaration of intent is submitted in writing to the institution's director of athletics; and the student-athlete is not drafted.	Forwarded for membership review and comment.

NCAA Division I Legislative Council
January 14-15, 2009

ATTACHMENT B

Conference - Voting Delegate	Voting Weight	Conference Type	Approve LGC policies and procedures	2008-76 as emergency or noncontroversial	Reconsideration of 2008-76 as emergency or noncontroversial	2008-76 as emergency or noncontroversial	2008-76	2007-92 FBS only	Package of proposals preliminarily supported by LGC	2008-34	2008-54	
America East C. Doyle	1.2	I	S	S	O	O	S		S	S	S	
Atlantic 10 D. E. Pasque	1.2	I	S	S	S	S	A		S	O	S	
Atlantic Coast S. Lyons	3.0	FBS	S	S	S	S	S	O	S	S	R	
Atlantic Sun S. Williamson	1.2	I	S	O	S	S	S		S	R	O	
Big 12 L. Ebihara	3.0	FBS	S	O	S	S	S	S	S	S	S	
Big East J. F. D'Antonio Jr	3.0	FBS	S	O	O	O	O	S	S	O	S	
Big Sky J. Gee	1.2	FCS	S	S	S	S	S		S	S	R	
Big South M. Eaker	1.2	FCS	S	S	S	S	S		S	S	S	
Big Ten B. Jaffee	3.0	FBS	S	O	S	S	S	O	S	R	R	
Big West C. Masner	1.2	I	S	S	O	O	O		S	S	S	
Colonial Athletic Association S. Groff	1.2	FCS	S	S	O	O	O		S	S	S	
Conference USA L. Claybrook	3.0	FBS	S	S	S	S	S	S	S	R	O	
Horizon League E. Jacobs	1.2	I	S	O	S	S	S		S	S	R	
Ivy Group C. Campbell-McGovern	1.2	FCS	S	S	S	S	S		S	S	S	
Metro Atlantic Athletic W. J. Maher	1.2	I	S	O	S	S	S		S	R	S	
Mid-American D. L. Gragg	1.5	FBS	S	S	S	S	S	O	S	S	S	
Mid-Eastern Athletic S. Stills	1.2	FCS	S	S	S	S	S		S	S	S	
Missouri Valley M. Mulvenna	1.2	FCS	S	S	S	S	S		S	S	R	
Mountain West J. Ruggiero	1.5	FBS	S	S	S	S	S	O	S	S	S	
Northeast M. Hefferan	1.2	FCS	S	S	S	S	S		S	S	S	
Ohio Valley J. A. Steinbrecher	1.2	FCS	S	S	S	S	S		S	S	S	
Pacific-10 K. Koong	3.0	FBS	S	S	S	O	S	O	S	S	O	
Patriot League J. Kreps	1.2	FCS	S	S	S	S	S		S	S	S	
Southeastern G. Sankey	3.0	FBS	S	S	S	S	S	O	S	R	R	
Southern D. King	1.2	FCS	S	S	S	S	S		S	R	S	
Southland T. Shoemake	1.2	FCS	S	S	S	S	S		S	S	S	
Southwestern Athletic K. Brooks	1.2	FCS	S	S	S	S	S		S	S	S	
Sun Belt K. Keene	1.5	FBS	S	S	S	S	S	O	S	S	R	
The Summit League A. Torain	1.2	I	S	O	S	S	S		S	S	S	
West Coast K. Peters	1.2	I	S	O	S	S	O		S	R	S	
Western Athletic R. Spear	1.5	FBS	S	S	S	S	S	O	S	S	S	
Support (S)			**51.00**	**37.80**	**44.40**	**41.40**	**43.20**	**9.00**	**51.00**	**33.00**	**30.00**	
Distribute for Membership Review (R)			**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**13.80**	**13.80**	
Oppose (O)			**0.00**	**13.20**	**6.60**	**9.60**	**6.60**	**18.00**	**0.00**	**4.20**	**7.20**	
Abstain (A)			**0.00**	**0.00**	**0.00**	**0.00**	**1.20**	**0.00**	**0.00**	**0.00**	**0.00**	
No Vote Cast (blank)			**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	
Total			**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**27.00**	**51.00**	**51.00**	**51.00**	

NCAA Division I Legislative Council
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ATTACHMENT B

Conference - Voting Delegate	Voting Weight	Conference Type	2008-56	2008-58	2008-62	2008-65	2008-11-A	2008-11-B	2008-11-C	2008-18	2008-27	2008-28	2008-64 FBS only	Approve amendment to 2008-12
America East C. Doyle	1.2	I	S	S	R	S	R	O	O	O	O	O		S
Atlantic 10 D. E. Pasque	1.2	I	S	S	S	S	O	S	O	O	O	O		O
Atlantic Coast S. Lyons	3.0	FBS	S	S	S	R	O	O	O	O	O	O	O	S
Atlantic Sun S. Williamson	1.2	I	O	S	S	O	O	O	O	O	O	O		O
Big 12 L. Ebihara	3.0	FBS	S	S	S	S	O	O	O	O	O	O	A	S
Big East J. F. D'Antonio Jr	3.0	FBS	S	S	S	S	O	O	O	O	O	O	O	O
Big Sky J. Gee	1.2	FCS	S	S	S	S	O	R	O	O	O	O		O
Big South M. Eaker	1.2	FCS	S	S	S	S	O	S	O	O	O	O		S
Big Ten B. Jaffee	3.0	FBS	S	R	S	S	O	O	O	O	O	O	O	O
Big West C. Masner	1.2	I	S	S	A	R	R	O	O	O	O	O		O
Colonial Athletic Association S. Groff	1.2	FCS	S	S	S	S	O	O	O	O	O	O		O
Conference USA L. Claybrook	3.0	FBS	S	S	R	R	O	O	O	O	O	O	R	O
Horizon League E. Jacobs	1.2	I	O	S	S	S	O	O	O	A	A	A		O
Ivy Group C. Campbell-McGovern	1.2	FCS	R	S	S	S	R	O	O	S	S	S		O
Metro Atlantic Athletic W. J. Maher	1.2	I	S	S	S	O	O	O	S	O	O	O		S
Mid-American D. L. Gragg	1.5	FBS	R	S	S	O	O	O	S	O	O	O	S	O
Mid-Eastern Athletic S. Stills	1.2	FCS	S	S	S	R	O	O	O	O	O	O		S
Missouri Valley M. Mulvenna	1.2	FCS	S	S	S	S	O	O	O	A	A	A		O
Mountain West J. Ruggiero	1.5	FBS	S	S	A	S	O	O	O	O	O	O	S	S
Northeast M. Hefferan	1.2	FCS	S	S	S	S	O	O	O	R	R	R		O
Ohio Valley J. A. Steinbrecher	1.2	FCS	R	O	S	O	O	A	S	A	A	A		S
Pacific-10 K. Koong	3.0	FBS	S	S	S	S	S	O	O	O	O	O	O	O
Patriot League J. Kreps	1.2	FCS	S	S	S	S	O	O	O	O	O	O		O
Southeastern G. Sankey	3.0	FBS	S	S	S	S	R	O	R	O	O	O	O	S
Southern D. King	1.2	FCS	S	S	S	S	O	O	O	S	S	S		S
Southland T. Shoemake	1.2	FCS	S	S	S	R	S	O	O	A	A	A		O
Southwestern Athletic K. Brooks	1.2	FCS	S	S	S	S	O	O	O	O	O	O		S
Sun Belt K. Keene	1.5	FBS	S	S	S	S	O	O	O	O	O	O	O	O
The Summit League A. Torain	1.2	I	R	S	S	O	S	O	S	A	A	A		O
West Coast K. Peters	1.2	I	R	S	A	S	O	O	O	A	A	A		S
Western Athletic R. Spear	1.5	FBS	S	S	S	O	O	O	R	O	O	O	S	S
Support (S)			**42.30**	**46.80**	**42.90**	**33.60**	**5.40**	**2.40**	**5.10**	**2.40**	**2.40**	**2.40**	**4.50**	**21.60**
Distribute for Membership Review (R)			**6.30**	**3.00**	**4.20**	**9.60**	**6.60**	**1.20**	**4.50**	**1.20**	**1.20**	**1.20**	**3.00**	**0.00**
Oppose (O)			**2.40**	**1.20**	**0.00**	**7.80**	**39.00**	**46.20**	**41.40**	**40.20**	**40.20**	**40.20**	**16.50**	**29.40**
Abstain (A)			**0.00**	**0.00**	**3.90**	**0.00**	**0.00**	**1.20**	**0.00**	**7.20**	**7.20**	**7.20**	**3.00**	**0.00**
No Vote Cast (blank)			**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**
Total			**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**27.00**	**51.00**

ATTACHMENT B

Conference - Voting Delegate	Voting Weight	Conference Type	2008-12	Approve amendment to 2008-13-A	2008-13-A as amended	2008-13-B	2008-15-B	2008-15-A	2008-19 FBS only	2008-19 FCS only	2008-20-A FBS only	2008-20-B FBS only	2008-21	2008-22	2008-23
America East C. Doyle	1.2	I	S	S	O	S	O	O		O			S	S	S
Atlantic 10 D. E. Pasque	1.2	I	S	S	O	S	O	A					S	S	S
Atlantic Coast S. Lyons	3.0	FBS	R	S	O	S	R	O	R		R	R	S	S	S
Atlantic Sun S. Williamson	1.2	I	O	S	S	O	S	O					R	S	O
Big 12 L. Ebihara	3.0	FBS	S	S	S	S	S	O	R		O	S	S	S	S
Big East J. F. D'Antonio Jr	3.0	FBS	S	S	O	O	S	S	S		S	S	S	S	S
Big Sky J. Gee	1.2	FCS	S	S	O	O	O	O		R			S	O	S
Big South M. Eaker	1.2	FCS	S	S	O	O	O	O		R			S	S	S
Big Ten B. Jaffee	3.0	FBS	O	O	O	S	S	O	R		R	R	R	S	S
Big West C. Masner	1.2	I	S	S	O	O	O	O					S	S	S
Colonial Athletic Association S. Groff	1.2	FCS	S	S	O	S	S	O		R			S	S	S
Conference USA L. Claybrook	3.0	FBS	O	S	O	S	S	O	R		R	O	S	S	S
Horizon League E. Jacobs	1.2	I	R	S	O	S	S	S					S	S	S
Ivy Group C. Campbell-McGovern	1.2	FCS	R	S	R	R	S	R		R			S	S	S
Metro Atlantic Athletic W. J. Maher	1.2	I	R	S	S	S	S	R					S	S	S
Mid-American D. L. Gragg	1.5	FBS	S	S	O	O	S	S	S		S	O	S	S	S
Mid-Eastern Athletic S. Stills	1.2	FCS	R	S	R	S	R	O		R			S	S	O
Missouri Valley M. Mulvenna	1.2	FCS	R	S	R	R	O	O		R				R	O
Mountain West J. Ruggiero	1.5	FBS	S	S	O	S	S	O	O		S	O	S	S	S
Northeast M. Hefferan	1.2	FCS	S	S	O	S	O	O		R			S	S	S
Ohio Valley J. A. Steinbrecher	1.2	FCS	S	S	S	R	S	O		R			S	S	S
Pacific-10 K. Koong	3.0	FBS	S	S	S	S	S	S	O		S	S	S	O	S
Patriot League J. Kreps	1.2	FCS	S	S	O	O	O	O		O			S	S	S
Southeastern G. Sankey	3.0	FBS	R	S	R	R	S	S	R		R	R	S	R	S
Southern D. King	1.2	FCS	S	S	O	O	O	R		R			S	S	S
Southland T. Shoemake	1.2	FCS	S	S	R	S	S	O		R			S	S	S
Southwestern Athletic K. Brooks	1.2	FCS	O	S	O	S	S	O		O			S	S	S
Sun Belt K. Keene	1.5	FBS	O	O	R	R	R	S	R		R	R	S	S	S
The Summit League A. Torain	1.2	I	S	S	S	S	S	O					S	S	S
West Coast K. Peters	1.2	I	S	S	O	O	O	S					S	S	S
Western Athletic R. Spear	1.5	FBS	S	S	O	S	S	S	O		S	S	S	S	S
Support (S)			**29.10**	**46.50**	**10.80**	**30.00**	**33.30**	**15.90**	**4.50**	**0.00**	**10.50**	**10.50**	**45.60**	**42.60**	**47.40**
Distribute for Membership Review (R)			**12.00**	**0.00**	**9.30**	**8.10**	**5.70**	**3.60**	**16.50**	**12.00**	**13.50**	**10.50**	**4.20**	**4.20**	**0.00**
Oppose (O)			**9.90**	**4.50**	**30.90**	**12.90**	**12.00**	**30.30**	**6.00**	**3.60**	**3.00**	**6.00**	**0.00**	**4.20**	**3.60**
Abstain (A)			**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**1.20**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**
No Vote Cast (blank)			**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**1.20**	**0.00**	**0.00**
Total			**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**27.00**	**15.60**	**27.00**	**27.00**	**51.00**	**51.00**	**51.00**

ATTACHMENT B

Conference - Voting Delegate	Voting Weight	Conference Type		2008-24	2008-25-A	2008-25-C	2008-25-B	2008-25-D	2008-32-A	2008-32-B	2008-35-A	2008-35-B	2008-29	2008-30-B	2008-40		2008-41
America East C. Doyle	1.2	I		S	O	O	O	O	O	S	O	O	S	S	O		O
Atlantic 10 D. E. Pasque	1.2	I		A	O	O	O	O	S	A	O	O	O	S	O		O
Atlantic Coast S. Lyons	3.0	FBS		S	O	R	R	R	R	R	O	R	R	S	R		O
Atlantic Sun S. Williamson	1.2	I		S	O	O	O	S	R	R	O	O	O	O	O		O
Big 12 L. Ebihara	3.0	FBS		S	R	O	R	R	O	S	O	R	S	S	S		S
Big East J. F. D'Antonio Jr	3.0	FBS		S	O	O	O	O	O	O	O	O	S	O	O		O
Big Sky J. Gee	1.2	FCS		S	O	O	S	S	R	S	O	O	S	S	O		O
Big South M. Eaker	1.2	FCS		S	O	O	O	O	O	O	O	O	S	S	O		O
Big Ten B. Jaffee	3.0	FBS		S	O	R		S	O	S	O	S	O	S	O		O
Big West C. Masner	1.2	I		R	O	O	S	S	S	S	O	O	S	S	O		O
Colonial Athletic Association S. Groff	1.2	FCS		S	O	O	O	R	R	O	O	O	S	O	O		O
Conference USA L. Claybrook	3.0	FBS		O	O	O	O	O	R	O	R	O	S	S	O		O
Horizon League E. Jacobs	1.2	I		S	O	O	O	R	O	R	O	O	S	S	O		O
Ivy Group C. Campbell-McGovern	1.2	FCS		S	R	R	R	R	R	R	R	R	O	S	O		O
Metro Atlantic Athletic W. J. Maher	1.2	I		S	O	O	S	S	O	R	O	R	S	S	O		O
Mid-American D. L. Gragg	1.5	FBS		S	O	O	O	O	S	R	O	O	S	S	S		O
Mid-Eastern Athletic S. Stills	1.2	FCS		S	R	O	S	R	O	R	O	R	S	S	O		O
Missouri Valley M. Mulvenna	1.2	FCS		O	O	O	O	S	S	S	R	R	R	R	O		O
Mountain West J. Ruggiero	1.5	FBS		S	O	O	O	S	O	S	O	O		S	S		O
Northeast M. Hefferan	1.2	FCS		S	R	O	S	S	R	S	O	R	O	S	O		O
Ohio Valley J. A. Steinbrecher	1.2	FCS		A	O	O	O	O	O	S	O	O	O	S	O		O
Pacific-10 K. Koong	3.0	FBS		O	O	O	O	O	S	S	S	S	O	O	S		O
Patriot League J. Kreps	1.2	FCS		O	O	O	O	R	O	R	O	R	O	S	O		O
Southeastern G. Sankey	3.0	FBS		S	O	O	O	R	O	O	O		S	S	S		
Southern D. King	1.2	FCS		S	R	R	R	R	O	R	O	O	R	O	O		O
Southland T. Shoemake	1.2	FCS		R	O	O	S	R	S	S	R	R	S	S	R		R
Southwestern Athletic K. Brooks	1.2	FCS		S	O	O	S	S	O	S	O	O	S	S	O		O
Sun Belt K. Keene	1.5	FBS		S	R	O	S	S	O	R	O	O	S	S	O		O
The Summit League A. Torain	1.2	I		S	O	O	S	S	S	S	S	R	S	O	O		O
West Coast K. Peters	1.2	I		O	O	O	O	O	O	O	O	O	O	O	O		O
Western Athletic R. Spear	1.5	FBS		O	O	O	S	S	S	S	S	S	S	S	S		O
Support (S)				**35.10**	**0.00**	**0.00**	**12.60**	**17.10**	**12.00**	**22.80**	**5.70**	**7.50**	**29.70**	**37.80**	**13.50**		**3.00**
Distribute for Membership Review (R)				**2.40**	**9.30**	**8.40**	**8.40**	**17.40**	**12.00**	**14.40**	**6.60**	**15.60**	**5.40**	**1.20**	**4.20**		**1.20**
Oppose (O)				**11.10**	**41.70**	**42.60**	**27.00**	**16.50**	**27.00**	**12.60**	**38.70**	**24.90**	**14.40**	**12.00**	**33.30**		**43.80**
Abstain (A)				**2.40**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**1.20**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**		**0.00**
No Vote Cast (blank)				**0.00**	**0.00**	**0.00**	**3.00**	**0.00**	**0.00**	**0.00**	**0.00**	**3.00**	**1.50**	**0.00**	**0.00**		**3.00**
Total				**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**51.00**		**51.00**

NCAA Division I Legislative Council
January 14-15, 2009

ATTACHMENT B

Conference - Voting Delegate	Voting Weight	Conference Type		2008-43	2008-45	2008-46	2008-48	2008-51	Approve amendment to 2008-52 FBS only	2008-52 FBS only	2008-53	2008-55-A	2008-55-B	2008-57	2008-59, rem emergi
America East C. Doyle	1.2	I		O	S	O	S	S			O	O	S	O	S
Atlantic 10 D. E. Pasque	1.2	I		S	S	O	S	S			S	S	O	S	O
Atlantic Coast S. Lyons	3.0	FBS		S	S	S	O	R	R	S	S	S	O	S	R
Atlantic Sun S. Williamson	1.2	I		O	S	R	R	O			S	O	O	S	S
Big 12 L. Ebihara	3.0	FBS		S	S	S	S	O	R	S	S	S	O	S	S
Big East J. F. D'Antonio Jr	3.0	FBS		S	S	O	O	S	R	S	S	O	O	S	S
Big Sky J. Gee	1.2	FCS		O	S	O	S	S			S	O	S	O	S
Big South M. Eaker	1.2	FCS		O	S	O	S	S			S	O	O	O	S
Big Ten B. Jaffee	3.0	FBS		O	O	O	S	R	S	R	O	S	O	R	R
Big West C. Masner	1.2	I		R	O	S	R	S			S	R	O	S	S
Colonial Athletic Association S. Groff	1.2	FCS		S		S	S	S			S	R	O	S	S
Conference USA L. Claybrook	3.0	FBS		R	S	S	O	S	R	O	S	R	O	R	S
Horizon League E. Jacobs	1.2	I		O	O	S	O	S			O	O	S	O	S
Ivy Group C. Campbell-McGovern	1.2	FCS		O	S	O	S	R			S	O	S	O	S
Metro Atlantic Athletic W. J. Maher	1.2	I		S	O	S	S	S			S	O	S		O
Mid-American D. L. Gragg	1.5	FBS		S	S	O	O	S	R	S	S	S	O	S	S
Mid-Eastern Athletic S. Stills	1.2	FCS		O	O	O	O	S			R	R	R	O	S
Missouri Valley M. Mulvenna	1.2	FCS		S	O	O	R	O			S	O	O	R	S
Mountain West J. Ruggiero	1.5	FBS		S	S	S	S	O	R	S	S	S	O	S	S
Northeast M. Hefferan	1.2	FCS		R	S	R	R	S			R	O	S	S	S
Ohio Valley J. A. Steinbrecher	1.2	FCS		O	O	O	O	S			O	S	O	O	S
Pacific-10 K. Koong	3.0	FBS		S	O	S	S	S	R	O	S	O	O	S	S
Patriot League J. Kreps	1.2	FCS		O	O	O	S	S			S	S	O	S	S
Southeastern G. Sankey	3.0	FBS		S	R	R	O	O	R	S	R	S	O	S	S
Southern D. King	1.2	FCS		S	S	S	S	R			S	S	R	O	S
Southland T. Shoemake	1.2	FCS		S	S	S	S	R			S	S	R	S	S
Southwestern Athletic K. Brooks	1.2	FCS		S	O	O	O	O			O	O	S	O	S
Sun Belt K. Keene	1.5	FBS		S	R	R	O	S	S	S	R	S	O	S	S
The Summit League A. Torain	1.2	I		S	O	O	O	S			S	S	O	S	S
West Coast K. Peters	1.2	I		O	O	O	S	S			O	O	O	O	S
Western Athletic R. Spear	1.5	FBS		O	S	S	O	S	R	S	S	S	O	S	S
Support (S)				**29.10**	**27.30**	**22.20**	**23.70**	**30.30**	**4.50**	**18.00**	**35.10**	**25.20**	**8.40**	**30.60**	**42.60**
Distribute for Membership Review (R)				**5.40**	**4.50**	**6.90**	**4.80**	**9.60**	**22.50**	**3.00**	**6.90**	**6.60**	**3.60**	**7.20**	**6.00**
Oppose (O)				**16.50**	**18.00**	**21.90**	**22.50**	**11.10**	**0.00**	**6.00**	**9.00**	**19.20**	**39.00**	**12.00**	**2.40**
Abstain (A)				**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**
No Vote Cast (blank)				**0.00**	**1.20**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**1.20**	**0.00**
Total				**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**27.00**	**27.00**	**51.00**	**51.00**	**51.00**	**51.00**	**51.00**

ATTACHMENT B

Conference - Voting Delegate	Voting Weight	Conference Type	ve of four g sports 2008-59, add sand volleyball		2008-60-A	2008-63	2008-67	2008-68-B	2008-68-A	2008-70	2008-71	2008-72	Approve amendment to 2008-74	2008-74 as amended	Approve amen 2008-75
America East C. Doyle	1.2	I	S		O	S	S	S	O	O	O	O	S	S	S
Atlantic 10 D. E. Pasque	1.2	I	O		S		O	O	O		S	S	O	R	S
Atlantic Coast S. Lyons	3.0	FBS	O		R	S	S	S	O	O	O	O	S	S	S
Atlantic Sun S. Williamson	1.2	I	S		O	O	S	S	O	O	O	S	S	S	S
Big 12 L. Ebihara	3.0	FBS	S		S	S	O	O	O	R	R	O	S	S	S
Big East J. F. D'Antonio Jr	3.0	FBS	S		S	S	S	S	O	O	O	O	O	S	S
Big Sky J. Gee	1.2	FCS	S		S	O	S	S	O	O	O	O	S	S	S
Big South M. Eaker	1.2	FCS	S		S	S	S	O	O	O	S	S	O	S	S
Big Ten B. Jaffee	3.0	FBS	O		S	O	R	O	O	O	O	O	O	R	S
Big West C. Masner	1.2	I	R		O	S	S	A	A	R	R	S	S	S	S
Colonial Athletic Association S. Groff	1.2	FCS	S		S	S	S	S	O	S	S	S	S	S	S
Conference USA L. Claybrook	3.0	FBS	S		S	S	S	A	A	R	R	R	S	S	S
Horizon League E. Jacobs	1.2	I	S		S	S	S	S	O	O	O	O	S	S	O
Ivy Group C. Campbell-McGovern	1.2	FCS	S		R	S	O	S	S	O	O	R	S	S	S
Metro Atlantic Athletic W. J. Maher	1.2	I	O		S	S	O	O	O	O	O	O	S	S	S
Mid-American D. L. Gragg	1.5	FBS	O		S	S	S	O	O	S	S	S	S	O	S
Mid-Eastern Athletic S. Stills	1.2	FCS	O		O	S	S	R	O	O	O	O	S	R	S
Missouri Valley M. Mulvenna	1.2	FCS	O		S	S	O	A	A	R	R	R	O	O	O
Mountain West J. Ruggiero	1.5	FBS	S		S	S	S	O	O	O	O	S	S	S	O
Northeast M. Hefferan	1.2	FCS	S		R	S	R	S	O	R	R	R	S	S	S
Ohio Valley J. A. Steinbrecher	1.2	FCS	O		S	S	A	A	A	O	O	O	S	S	O
Pacific-10 K. Koong	3.0	FBS	O		S	S	S	S	O	S	S	S	A	O	S
Patriot League J. Kreps	1.2	FCS	S		S	R	O	S	S	O	S	S	S	S	S
Southeastern G. Sankey	3.0	FBS	S		S	O	R	O	O	O	O	O	S	S	O
Southern D. King	1.2	FCS	S		S	S	O	S	O	O	O	O	S	O	S
Southland T. Shoemake	1.2	FCS	S		O		R	A	A	S	S	S	S	S	S
Southwestern Athletic K. Brooks	1.2	FCS	S		O	S	S	A	A	O	O	O	S	S	S
Sun Belt K. Keene	1.5	FBS	S		S	S	R	O	O	O	O	O	S	S	S
The Summit League A. Torain	1.2	I	O		S	S	S	A	A	O	O	O	S		O
West Coast K. Peters	1.2	I	S		S	S	A	A	A	S	S	S	O	O	S
Western Athletic R. Spear	1.5	FBS	S		S	S	O	S	O	S	S	S	S	S	O
Support (S)			**32.10**		**38.40**	**39.00**	**27.00**	**21.30**	**2.40**	**9.60**	**13.20**	**17.10**	**37.20**	**36.30**	**40.20**
Distribute for Membership Review (R)			**1.20**		**5.40**	**1.20**	**9.90**	**1.20**	**0.00**	**9.60**	**9.60**	**6.60**	**0.00**	**5.40**	**0.00**
Oppose (O)			**17.70**		**7.20**	**8.40**	**11.70**	**17.10**	**37.20**	**30.60**	**28.20**	**27.30**	**10.80**	**8.10**	**10.80**
Abstain (A)			**0.00**		**0.00**	**0.00**	**2.40**	**11.40**	**11.40**	**0.00**	**0.00**	**0.00**	**3.00**	**0.00**	**0.00**
No Vote Cast (blank)			**0.00**		**0.00**	**2.40**	**0.00**	**0.00**	**0.00**	**1.20**	**0.00**	**0.00**	**0.00**	**1.20**	**0.00**
Total			**51.00**		**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**51.00**

ATTACHMENT B

Conference - Voting Delegate	Voting Weight	Conference Type	...ndment to	Approve 2nd amendment to 2008-75		2008-75 as amended	Approve amendment to 2008-77	2008-77 as amended	2008-79	Reconsideration of 2008-65	2008-65	Approve LRIC minute of 10/15/2008	Approve LRIC minute 10/29/2008
America East C. Doyle	1.2	I	O		S	S	R	R	S	R	S	O
Atlantic 10 D. E. Pasque	1.2	I	O		O	O	O	R	S	S	S	O
Atlantic Coast S. Lyons	3.0	FBS	S		S	S	S	S	O	R	S	O
Atlantic Sun S. Williamson	1.2	I	A		S	S	S	R	S	S	S	S
Big 12 L. Ebihara	3.0	FBS	S		O	S	R	R	S	S	S	O
Big East J. F. D'Antonio Jr	3.0	FBS	O		O	S	O	R	S	S	S	O
Big Sky J. Gee	1.2	FCS	O		S	S	O	R	S	S	S	O
Big South M. Eaker	1.2	FCS	O		O	S	O	R	S	S	S	O
Big Ten B. Jaffee	3.0	FBS	O		S	O	R	R	S	S	S	O
Big West C. Masner	1.2	I	O		S	S	R	S	O	R	S	O
Colonial Athletic Association S. Groff	1.2	FCS	O		O	S	O	S	S	S	S	O
Conference USA L. Claybrook	3.0	FBS	O		O	S	O	S	S	S	S	O
Horizon League E. Jacobs	1.2	I	S		O	S	O	R	S	S	S	O
Ivy Group C. Campbell-McGovern	1.2	FCS	O		S	S	S	R	S	S	S	O
Metro Atlantic Athletic W. J. Maher	1.2	I	A		S	S	S	R	S	R	S	O
Mid-American D. L. Gragg	1.5	FBS	O		S	O	O	S	S	S	S	O
Mid-Eastern Athletic S. Stills	1.2	FCS	S		R	S	R	R	O	R	S	O
Missouri Valley M. Mulvenna	1.2	FCS	O		S	S	R	R	S	S	S	S
Mountain West J. Ruggiero	1.5	FBS	O		O	S	O	S	S	S	S	O
Northeast M. Hefferan	1.2	FCS	A		R	S	R	R	S	S	S	O
Ohio Valley J. A. Steinbrecher	1.2	FCS	S		S	S	S	R	S	O	S	O
Pacific-10 K. Koong	3.0	FBS	O		S	S	O	O	S	S	S	S
Patriot League J. Kreps	1.2	FCS	A		S	S	S	R	S	S	S	O
Southeastern G. Sankey	3.0	FBS	O			S	R	R	O	S	S	O
Southern D. King	1.2	FCS	O		S	S	S	S	S	S	S	O
Southland T. Shoemake	1.2	FCS	O		S	S	S	R	S	R	S	S
Southwestern Athletic K. Brooks	1.2	FCS	O		S	S	S	R	S	O	S	O
Sun Belt K. Keene	1.5	FBS	O		S	S	S	R	S	S	S	O
The Summit League A. Torain	1.2	I	O		O	S	O	R	S	S	S	O
West Coast K. Peters	1.2	I	O		S	S	O	O	S	S	S	O
Western Athletic R. Spear	1.5	FBS	S		S	S	O	S	O	O	S	S
Support (S)			**11.10**		**29.10**	**45.30**	**14.10**	**14.10**	**41.10**	**38.10**	**51.00**	**8.10**
Distribute for Membership Review (R)			**0.00**		**2.40**	**0.00**	**15.00**	**32.70**	**0.00**	**9.00**	**0.00**	**0.00**
Oppose (O)			**35.10**		**16.50**	**5.70**	**21.90**	**4.20**	**9.90**	**3.90**	**0.00**	**42.90**
Abstain (A)			**4.80**		**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**
No Vote Cast (blank)			**0.00**		**3.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**
Total			**51.00**		**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**51.00**	**51.00**

ATTACHMENT B

Conference - Voting Delegate	Voting Weight	Conference Type	Issue interpretation of 1/14/2009 - camp advertisement		Approve modification of 10/18/2006 official interpretation
America East C. Doyle	1.2	I	S		S
Atlantic 10 D. E. Pasque	1.2	I	S		S
Atlantic Coast S. Lyons	3.0	FBS	S		S
Atlantic Sun S. Williamson	1.2	I	S		S
Big 12 L. Ebihara	3.0	FBS	S		S
Big East J. F. D'Antonio Jr	3.0	FBS	S		S
Big Sky J. Gee	1.2	FCS	S		S
Big South M. Eaker	1.2	FCS	S		S
Big Ten B. Jaffee	3.0	FBS	S		S
Big West C. Masner	1.2	I	S		S
Colonial Athletic Association S. Groff	1.2	FCS	S		S
Conference USA L. Claybrook	3.0	FBS	S		S
Horizon League E. Jacobs	1.2	I	S		S
Ivy Group C. Campbell-McGovern	1.2	FCS	S		S
Metro Atlantic Athletic W. J. Maher	1.2	I	S		S
Mid-American D. L. Gragg	1.5	FBS	S		S
Mid-Eastern Athletic S. Stills	1.2	FCS	S		S
Missouri Valley M. Mulvenna	1.2	FCS	S		S
Mountain West J. Ruggiero	1.5	FBS	S		S
Northeast M. Hefferan	1.2	FCS	S		S
Ohio Valley J. A. Steinbrecher	1.2	FCS	S		S
Pacific-10 K. Koong	3.0	FBS			S
Patriot League J. Kreps	1.2	FCS	S		S
Southeastern G. Sankey	3.0	FBS	S		S
Southern D. King	1.2	FCS	S		S
Southland T. Shoemake	1.2	FCS	S		S
Southwestern Athletic K. Brooks	1.2	FCS	S		S
Sun Belt K. Keene	1.5	FBS	S		S
The Summit League A. Torain	1.2	I	S		S
West Coast K. Peters	1.2	I	S		S
Western Athletic R. Spear	1.5	FBS	S		S
		Support (S)	**48.00**		**51.00**
		Distribute for Membership Review (R)	**0.00**		**0.00**
		Oppose (O)	**0.00**		**0.00**
		Abstain (A)	**0.00**		**0.00**
		No Vote Cast (blank)	**3.00**		**0.00**
		Total	**51.00**		**51.00**

DRAFT

A G E N D A

National Collegiate Athletic Association
Division I Legislative Council

Gaylord National Resort and Convention Center
Prince George's County, Maryland

January 14-15, 2009

(Note: Items in bold are anticipated action items.)

1. Opening remarks.

2. Report of the October 29-30, Division I Board of Directors and the November 6, 2008, Leadership Council meetings. [Supplement No. 1]

3. Report of the October 30, 2008, NCAA Executive Committee meeting. [Supplement No. 2]

5. Litigation update. [Supplement No. 3 – to be distributed at the meeting]

6. Governmental relations report.

7. Report of the NCAA Division I Communications and Coordination Committee. [Supplement No. 4 – to be distributed at the meeting]

8. **NCAA Division I Legislative Council Policies and Procedures.** [Supplement No. 5]

9. NCAA Division I Committee/Subcommittee and Cabinet reports.

   [Note: The Legislative Review/Interpretations Committee, Subcommittee on Legislative Relief, Committee on Athletics Certification and Student-Athlete Reinstatement Committee report directly and only to the Legislative Council. Therefore, reports from those entities will be fully reviewed. For the other entities listed below, the Legislative Council will focus its review only on legislative action and legislative information items included in the reports.]

a. **Report of the NCAA Division I Legislative Review/Interpretations Committee.** [Supplement No. 6]

b. Report of the NCAA Division I Subcommittee on Legislative Relief. [Supplement No. 7]

c. Report of the NCAA Division I Student-Athlete Advisory Committee (SAAC). [Supplement No. 8]

d. Report of the NCAA Division I Committee on Academic Performance. [Supplement No. 9]

e. Report of the NCAA Division I Football Championship Subdivision Governance Committee meeting. [Supplement No. 10 – to be distributed at the meeting]

f. Report of the NCAA Division I Men's Basketball Academic Enhancement Working Group. [Supplement No. 11]

g. Report of the NCAA Division I Football Academic Enhancement Working Group. [Supplement No. 12]

10. NCAA Association-wide committee reports.

[Note: The Legislative Council will focus its review only on legislative action and legislative information items included in these reports.]

- Report on the NCAA Committee on Sportsmanship and Ethical Conduct. [Supplement No. 13]

11. Legislative issues.

a. Status of override requests following October Board of Directors meeting.

b. **Legislation recommended as emergency or noncontroversial – Proposal No. 2008-76 Recruiting – tryouts and sports camps and clinics – definition of prospective student-athlete – men's basketball. [Supplement No. 14]**

c. **Legislation previously referred by the former Management Council in April 2007 – Proposal No. 2007-92 Playing and practice seasons – football –**

acclimatization period and spring practice – protective equipment – FBS. [Supplement Nos. 15-(a) and 15-(b)]

d. **Initial review of legislative proposals in the 2008-09 legislative cycle.**

(1) 2008 NCAA Division I Official Notice. [Supplement No. 16]

(2) NCAA Division I 2008-09 Legislative Cycle Voting Chart. [Supplement No. 17]

(3) Points to consider related to 2008-09 proposals. [Supplement No. 18]

(4) Question and Answer Document related to 2008-09 proposals. [Supplement No. 19]

(5) Comments received from various constituent groups. [Supplement No. 20]

12. Future meeting dates.

a. April 20-21, 2009, Indianapolis, Indiana.

b. October 19-20, 2009, Indianapolis, Indiana.

13. Other business.

14. Key discussion points summary.

15. Adjournment.

Possible emergency/noncontroversial legislation.

PROPOSAL NO. 2008-76 RECRUITING -- TRYOUTS AND SPORTS CAMPS AND CLINICS -- DEFINITION OF PROSPECTIVE STUDENT-ATHLETE -- MEN'S BASKETBALL

Status: Cabinet / Committee Legislation Recommendation

Intent: In men's basketball, for purposes of the tryout rule and the regulations related to camps and clinics, to specify that a prospective student-athlete is an individual who has started classes for the seventh grade.

A. Bylaws: Amend 13.11.1, as follows:

13.11.1 Prohibited Activities. A member institution, on its campus or elsewhere, shall not conduct (or have conducted on its behalf) any physical activity (e.g., practice session or test/tryout) at which one or more prospective student-athletes (as defined in Bylaw**s** 13.11.1.1 **and 13.11.1.2**) reveal, demonstrate or display their athletics abilities in any sport except as provided in Bylaws 13.11.2 and 13.11.3.

13.11.1.1 Definition of "Prospective Student-Athlete" for Tryout-Rule Purposes **-- Sports other than Men's Basketball**. **In sports other than men's basketball,** *For* **for** purposes of the tryout rule, the phrase "prospective student-athlete" shall include any individual who has started classes for the ninth grade and is not enrolled in the member institution at the time of the practice or test therein described.

13.11.1.2 Definition of "Prospective Student-Athlete" for Tryout-Rule Purposes -- Men's Basketball. In men's basketball, for purposes of the tryout rule, the phrase "prospective student-athlete" shall include any individual who has started classes for the seventh grade and is not enrolled in the member institution at the time of the practice or test therein described.

[13.11.1.2 through 13.11.1.6 renumbered as 13.11.1.3 through 13.11.1.7, unchanged.]

B. Bylaws: Amend 13.12, as follows:

13.12 SPORTS CAMPS AND CLINICS

13.12.1 Institution's Sports Camps and Clinics.

13.12.1.1 Definition. An institution's sports camp or instructional clinic shall be any camp or clinic that is owned or operated by a member institution or an employee of the member institution's athletics department, either on or off its campus, and in which prospective student-athletes participate.

13.12.1.1.1 Definition of Prospective Student-Athlete -- Men's Basketball. In men's basketball, for purposes of Bylaw 13.12, the phrase "prospective student-athlete" shall include any individual who has started classes for the seventh grade.
[13.12.1.1.1 through 13.12.1.1.3 renumbered as 13.12.1.1.2 through 13.12.1.1.4, unchanged.]

Source: NCAA Division I Championships/Sports Management Cabinet (Men's Basketball Issues Committee).

Effective Date: Immediate
Proposal Category: Amendment
Topical Area: Recruiting

Rationale: Current legislation prohibits basketball coaches or noncoaching staff members with basketball-specific responsibilities from being employed at other institutional camps or clinics or at noninstitutional privately owned camps or clinics. However, the prohibition applies only to camps or clinics in which prospect-aged participants (grade nine and above) are involved. Further, current legislation requiring camps or clinics to be open to any or all entrants does not apply to those conducted for non-prospect-aged participants. Noninstitutional camp operators conduct elite basketball camps for seventh and eighth graders and are employing Division I basketball coaches. Coaches feel pressured work at the camps since many of the operators also have ties to nonscholastic teams that include prospects. This situation increases the nonscholastic influence in youth basketball, creates potential recruiting advantages for coaches who are employed at the camps and encourages the practice of early verbal offers and commitments, which can be detrimental to the well-being of the youth and the collegiate institutions. Additionally, some coaches are conducting elite basketball camps for seventh and eighth graders and are using this unfettered access to further their own recruiting interests. This proposal furthers the creation of a healthier environment for the recruitment of men's basketball prospective student-athletes. It is recommended that this proposal be adopted as noncontroversial or emergency legislation inasmuch as it is simply an attempt to adopt a common sense principle that coaches should not be involved in recruiting activities of youth of in seventh and eighth grade and it attempts to address some of the concerns related to the current youth basketball environment, particularly the increase in nonscholastic influences and the early recruitment of youth, which are issues that have been identified by the NCAA Division I Board of Directors and the NCAA Division I Leadership Council that infringe on a core principle of the Association related to the recruitment of prospective student-athletes.
Estimated Budget Impact: None.
Impact on Student-Athlete's Time: None.

History

Sep 16, 2008: Submit; Submitted for consideration.

Sep 17, 2008: Championships/Sports Management Cabinet, Sponsored

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Sep 17, 2008: Championships/Sports Management Cabinet, Recommends Approval as Emergency or Noncontroversial Legislation

Oct 20, 2008: Leg Council Init Review, Tabled; Tabled consideration of the proposal as noncontroversial or emergency legislation until January 2009.

NCAA Division I Legislative Council
Actions, Preliminary Positions, Points to Consider, Comments and Mootnicity Implications Related to 2008-09 Legislative Cycle Proposals

This attachment describes the details of the Legislative Council's actions, preliminary positions, points to consider and comments, along with any mootnicity issues, related to legislation scheduled for initial consideration in January 2009.

Please note that a position of preliminary support for a proposal reflects that the council supported the sponsor's rationale statement and any additional rationale for support expressed in the position statements for the particular proposal. Further, a position of preliminary opposition reflects that it is likely the council agreed with opposition expressed in position statements for the particular proposal. If no preliminary position is noted for a particular proposal, the council took no position, but noted comments and points for membership consideration in preparation for the council's initial formal review of the legislation in January 2009.

Please note that the NCAA Division I Official Notice will be available on the NCAA Web site by November 15, 2008. The Official Notice will include all of the 2008-09 legislative cycle proposals that are to be initially considered in January 2009.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-9	NCAA MEMBERSHIP AND CHAMPIONSHIPS AND POSTSEASON FOOTBALL -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- OPERATING AND CAPITAL FINANCIAL DATA REPORT	To specify that an institution shall submit financial data detailing operating revenues, expenses and capital related to its intercollegiate athletics program to the NCAA on an annual basis, as specified, as a condition and obligation of membership and in order to be eligible to enter a team or individual in NCAA championship competition.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-10	PERSONNEL -- DEFINITIONS AND APPLICATIONS -- MINORITY GRADUATE ASSISTANT COACH -- CHAMPIONSHIP SUBDIVISION FOOTBALL	To establish a program by which a minority graduate assistant coach position is awarded annually to each NCAA Division I Football Championship Subdivision (FCS) conference and to establish the parameters of the program and position, as specified.	• Noted general support for the concept, but noted several concerns with the details, including: o Potential legal issues; o Budgetary issues, including broad implications of such a program to Division I generally; o Potential competitive equity issues. • Suggested tabling the proposal pending additional review and study. (Following the Legislative Council meeting, the proposal was withdrawn by the sponsor.)
2008-11	PERSONNEL -- LIMITATIONS ON THE DUTIES OF COACHES -- NONCOACHING ACTIVITIES -- EXCEPTION -- STUDENT MANAGER -- BASEBALL	In baseball, to specify that up to four student managers may be involved in on-field activities (e.g., catching in the bullpen, pitching batting practice, hitting fungoes, shagging balls) without counting in the institution's coaching limitations, provided the student managers participate in the activities within five years of their initial full-time collegiate enrollment and do not provide instruction to student-athletes or engage in other coaching activities; further, to specify that a student-manager shall not be eligible for varsity intercollegiate competition in the same year in which the individual serves as a manager.	Preliminary opposition.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-12	PERSONNEL -- LIMITATIONS ON NUMBER OF OFF-CAMPUS RECRUITERS AT ANY ONE TIME -- EXCEPTION -- BASKETBALL -- JULY EVALUATION PERIODS	In basketball, to specify that during the July evaluation periods, a coach replaced for the purpose of off-campus recruiting activities is not required to return to the institution's campus before engaging in additional recruiting activities, provided no more than three coaches engage in off-campus recruiting activities each day.	• Noted a possible travel cost savings if a coach is not required to return to campus, but that additional costs may be incurred to have four coaches away from campus at all times during the evaluation periods. • Concept could be expanded beyond the summer and to other sports. • Concern expressed related to monitoring and a potential conflict with a desired increase in summer access to incoming prospective student-athletes.
2008-13	AMATEURISM -- EXCEPTION FOR PRIZE MONEY FOR STUDENT-ATHLETES -- OUTSIDE THE PLAYING SEASON DURING AN OFFICIAL VACATION PERIOD -- INDIVIDUAL SPORTS	In individual sports, to permit a student-athlete to accept prize money based on his or her place finish or performance in an open athletics event (an event that is not invitation only), provided the competition occurs outside the institution's declared playing and practice season during any official vacation period and the prize money does not exceed actual and necessary expenses and is provided only by the sponsor of the open event.	• Potential to cause a proliferation of open events, including events on an institution's campus, which would present possible recruiting advantages. • Consider restricting application to summer only. • Although the proposal only covers expenses, does it reflect a change in the amateurism philosophy? • Currently permissible to receive actual and necessary expenses from a team or the sponsor of the open event.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-14	RECRUITING -- DEFINITIONS AND APPLICATIONS -- PROSPECTIVE STUDENT-ATHLETE -- ENROLLMENT AND ATTENDANCE IN SUMMER CLASSES PRIOR TO INITIAL FULL-TIME ENROLLMENT	To specify that an individual shall no longer be considered a prospective student-athlete for purposes of the contact limitations in Bylaw 13 and shall be considered a student-athlete for purposes of Bylaw 16 at the point in which he or she officially registers and enrolls and attends classes in an institution's summer term prior to initial full-time enrollment.	Preliminary support.

2008-15	RECRUITING -- DEFINITIONS AND APPLICATIONS -- PROSPECTIVE STUDENT-ATHLETE -- INSTITUTIONAL ORIENTATION SESSION	To specify that a recruited 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.	• Is the legislation necessary?
			• Expressed concern related to differing institutional approaches to orientation sessions and potential advantages.
			  o Required vs. optional or none.
			  o Sessions throughout the summer vs. immediately before fall term.
			• May assist with issues related to room and board for international student-athletes prior to the beginning of the term.
			  o Alternative legislation should be tailored to address such issues.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-16	RECRUITING -- CONTACTS AND EVALUATIONS -- CONTACTABLE INDIVIDUALS -- STUDENT-ATHLETE WITHDRAWN FROM FOUR-YEAR COLLEGE -- EXCEPTION -- OFFICIAL CHURCH MISSION	To specify that an institution shall not contact a student-athlete who has begun service on an official church mission without obtaining permission from the institution from which the student-athlete withdrew prior to beginning his or her mission if the student-athlete signed a National Letter of Intent (NLI) and attended the institution (with which he or she signed the NLI) as a full-time student; further, to specify that if such a student-athlete has completed his or her official church mission and does not enroll full time in a collegiate institution within one calendar year of completion of the mission, an institution may contact the student-athlete without obtaining permission from the first institution.	Preliminary support.
2008-17	RECRUITING -- CONTACTS AND EVALUATIONS -- PERMISSIBLE RECRUITERS -- BOWL SUBDIVISION FOOTBALL -- HEAD COACH RESTRICTIONS -- SPRING EVALUATION PERIOD -- OTHER OFF-CAMPUS ACTIVITIES	In bowl subdivision football, to specify that the head coach shall not participate in an off-campus coaching clinic, visit a prospective student-athlete's educational institution for any reason or meet with a prospective student-athlete's coach at an off-campus location during the April 15 through May 31 evaluation period.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-18	RECRUITING -- TELEPHONE CALLS INITIATED BY A PROSPECTIVE STUDENT-ATHLETE AT HER OWN EXPENSE -- WOMEN'S LACROSSE	In women's lacrosse, to specify that an institutional coaching staff member may receive telephone calls placed by a prospective student-athlete at her own expense before July 1 following her junior year in high school, provided the coaching staff member does not request that the a prospective student-athlete call at a specific time or otherwise prearrange the telephone call; further; to specify that telephone calls placed after July 1 following the prospective student-athlete's junior year in high school may be prearranged.	Preliminary opposition. • Agreed that the concept should be considered as part of the Leadership Council's examination of early recruitment and commitments.
2008-19	RECRUITING -- CONTACTS AND EVALUATIONS -- FOOTBALL -- ONE CONTACT WITH JUNIORS OR SENIORS -- SPRING EVALUATION PERIOD	In football, to specify that during the spring evaluation period, an institution may make one in-person, off-campus contact per prospective student-athlete (including prospective student-athletes in their junior year) at the prospective student-athlete's educational institution; further, to specify that an institution may use an additional evaluation in conjunction with the contact.	• Expressed concern regarding potential of increased costs, increased time spent in recruiting and increased recruiting pressures. o Pressures involved with contacts are greater than those related to evaluations. • Potential significant intrusion on prospective student-athletes during class time.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-20-A	RECRUITING -- FOOTBALL EVALUATIONS -- SCHOLASTIC AND NONSCHOLASTIC ACTIVITIES -- EVENTS ORGANIZED AND CONDUCTED BY SCHOLASTIC ATHLETICS GOVERNANCE BODIES -- OTHER EVALUATION EVENTS	In football, to specify that live athletics evaluations are permissible at events organized and conducted solely by a scholastic athletics governing body (e.g., state high school athletics association, junior college athletics association); further, to specify that institutional staff members shall not attend a recruiting event in which information (e.g., athletics or academic credentials, highlight video) related to prospective student-athletes is presented or otherwise made available.	• Expressed concern regarding potential involvement or attempted influence of nonscholastic entities on events for which the organization and conduct would be solely limited to scholastic athletics governing bodies. • Sponsored an alternative proposal (2008-20-B) that does not include the provision to allow evaluations at events organized and conducted solely by a scholastic athletics governing body, but maintains the provision that would preclude institutional staff members from attending a recruiting event in which information (e.g., athletics or academic credentials, highlight video) related to prospective student-athletes is presented or otherwise made available. o Adoption of Proposal No. 2008-20-A would render Proposal No. 2008-20-B moot.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-21	RECRUITING -- ADMISSIONS AND GRADUATION DATA, BANNED DRUG LIST AND INITIAL-ELIGIBILITY STANDARDS -- REPORTS AND NOTIFICATION -- ELIGIBILITY CENTER	To specify that the NCAA Eligibility Center shall provide the information contained within the disclosure reports related to admissions, graduation-rate data, academic progress rate and graduation success rate to a prospective student-athlete and his or her parents or legal guardians after he or she has registered with the Eligibility Center and the Eligibility Center has received an institution's request to add the prospective student-athlete to the institution's institutional request list; further, to specify that the Eligibility Center shall provide notification of initial-eligibility standards, the banned drug list and information about nutritional supplements to a prospective student-athlete after he or she has registered with the Eligibility Center.	• Noted the potential to reduce the administrative burden on institutions. • Expressed concern related to the potential administrative burden on the NCAA Eligibility Center. • Noted that the provision of institution-specific information may occur too late in the recruiting process. • Noted concern expressed by the Committee on Competitive Safeguards and Medical Aspects of Sports that it is important that institutions are educated and should be responsible for educating prospective student-athletes regarding banned drugs and nutritional supplements.
2008-22	RECRUITING -- PRINTED RECRUITING MATERIALS -- INSTITUTIONAL POSTCARDS	To specify that an institutional postcard may be provided to a prospective student-athlete, his or her parents or legal guardians, his or her coach or any other individual responsible for teaching or directing an activity in which a prospective student-athlete is involved, provided its dimensions do not exceed 4 1/4 by 6 inches, it contains only the institution's name and logo or an athletics logo on one side when produced and it includes only handwritten information, (e.g., words, illustrations) on the opposite side when provided to a prospective student-athlete.	• Suggestion made to potentially include some of the issues addressed in the proposal question and answer document in the language of the proposal. o Additional details help clarify application.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-23	RECRUITING -- RECRUITING MATERIALS -- ELECTRONIC TRANSMISSIONS -- AFTER NATIONAL LETTER OF INTENT SIGNING OR OTHER WRITTEN COMMITMENT	To specify that after the calendar day on which a prospective student-athlete signs a National Letter of Intent (NLI), signs an institution's written offer of admission and/or financial aid, or submits a room or tuition deposit in response to the institution's written offer of admission, there shall be no limit on the forms of electronically transmitted correspondence sent by the institution with which the prospective student-athlete has committed.	Preliminary opposition as currently drafted. • Anticipate sponsor modification. • Suggested modification would specify that a prospective student-athlete who does not sign a National Letter of Intent (NLI) must submit a tuition or room deposit and to establish a date (e.g., late NLI signing period) on which the exception may begin to apply.
2008-24	RECRUITING -- RECRUITING MATERIALS -- OTHER RECRUITING MATERIALS POSTED TO INSTITUTION'S WEB SITE	To permit an institution to print and provide other recruiting information that is posted on its Web site to prospective student-athletes via regular mail as attachments to general correspondence or electronic mail, via facsimile or during any permissible on- or off-campus contact.	• Sponsor indicated intent to modify the proposal to specify that general information (e.g., press release, competition schedule) posted to an institution's Web site may be printed and provided to prospective student-athletes. An institution may not post information created for recruiting purposes to its Web site.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-25-A	RECRUITING -- OFFICIAL VISIT AND LETTER OF INTENT PROGRAMS -- REQUIREMENTS FOR OFFICIAL VISIT AND OFFERS OF ATHLETICALLY RELATED FINANCIAL AID -- COMPLETION OF AMATEURISM CERTIFICATION QUESTIONNAIRE	To specify that a high school, preparatory school or transfer (if applicable) prospective student-athlete must complete the amateurism certification questionnaire administered by the NCAA Eligibility Center before an institution may provide the prospective student-athlete an official visit; further, to specify that an institution shall not provide a high school, preparatory school or transfer prospective student-athlete a written offer of athletically related financial aid until he or she has completed the amateurism certification questionnaire with the Eligibility Center.	• Would assist the Eligibility Center in beginning the process of certifying the amateur status prospective student-athletes at an earlier date, thus easing case volume leading up to and after the start of the academic year. • Places more responsibility on the institution, earlier in the process. • Enhancements to the process for completing the questionnaire are in progress. • Prospective student-athletes will be under the same ethical obligations. • Does not increase institutional culpability. • Adoption would render Proposal No. 2008-25-B moot.
2008-25-B	RECRUITING -- LETTER OF INTENT PROGRAMS -- REQUIREMENTS FOR OFFERS OF ATHLETICALLY RELATED FINANCIAL AID -- COMPLETION OF AMATEURISM CERTIFICATION QUESTIONNAIRE	To specify that an institution shall not provide a high school, preparatory school or transfer (if applicable) prospective student-athlete a written offer of athletically related financial aid until he or she has completed the amateurism certification questionnaire administered by the NCAA Eligibility Center.	• Presents less of a burden on institutions. o More prospective student-athletes take official visits than are offered athletically related financial aid. • Would be rendered moot by adoption of Proposal No. 2008-25-A.
2008-26	RECRUITING -- OFFICIAL VISIT -- MEALS ON OFFICIAL VISIT -- MEALS AT AIRPORT OR BUS OR TRAIN STATION	To specify that meals may be provided to a prospective student-athlete on an official visit at the airport or bus or train station at the time of his or her arrival or departure.	Withdrawn by sponsor.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-27	RECRUITING -- UNOFFICIAL VISIT -- HOUSING -- LODGING IN DORMITORIES -- ADDITIONAL RESTRICTION -- WOMEN'S LACROSSE	In women's lacrosse, to specify that an institution's athletics department staff member shall not arrange lodging for a prospective student-athlete on an unofficial visit in an enrolled student-athlete's residence (e.g., dormitory room, apartment) until August 1 following the prospective student-athlete's junior year in high school.	Preliminary opposition. • Agreed that the concept should be considered as part of the NCAA Division I Leadership Council's examination of early recruitment and commitments.
2008-28	RECRUITING -- FINANCIAL AID AGREEMENTS -- OFFERS OF AID BEFORE JULY 1 FOLLOWING JUNIOR YEAR -- WOMEN'S LACROSSE	In women's lacrosse, to specify that an institution shall not offer (or indicate that it will or may offer), orally or in writing, athletically related financial aid, other institutional financial aid or admissions assistance before July 1 following the prospective student-athlete's junior year in high school; further, to specify that an institution shall not accept any commitment from a prospective student-athlete before July 1 following the prospective student-athlete's junior year in high school.	Preliminary opposition. • Agreed that the concept should be considered as part of the Leadership Council's examination of early recruitment and commitments.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-29	RECRUITING -- TRYOUTS -- EXCEPTIONS -- VOLUNTARY SUMMER CONDITIONING -- SPORTS OTHER THAN FOOTBALL AND BASKETBALL	In sports other than football and basketball, to specify that a prospective student-athlete may engage in voluntary summer workouts conducted by an institution's strength and conditioning coach with department-wide duties and may receive workout apparel (on an issuance and retrieval basis), provided he or she is enrolled in the institution's summer term prior to the student's initial full-time enrollment at the certifying institution.	• Concern expressed that different standards would exist for football, basketball and all other sports. o Different standards were intentional based on history of legislation for football and basketball. • Concern expressed related to need for additional staffing, pressure for summer enrollment and increased risk/liability issues. • Promotes greater equity among sports. • Provides structure for safety presence during workouts.
2008-30-A	RECRUITING -- SPORTS CAMPS AND CLINICS -- EMPLOYMENT AT CAMP OR CLINIC -- HIGH SCHOOL, PREPARATORY-SCHOOL TWO-YEAR COLLEGE COACHES OR OTHER INDIVIDUALS INVOLVED WITH PROSPECTIVE STUDENT-ATHLETES -- EMPLOYMENT AS SPEAKER -- BASKETBALL	In basketball, to specify that an institution shall not employ (either on a salaried or a volunteer basis) a speaker in any basketball camp or clinic (including a coaches clinic or a camp or clinic involving nonprospects) who is involved in coaching prospective student-athletes or is associated with a prospective student-athlete as a result of the prospective student-athlete's participation in basketball; further, to specify that such an individual may be employed as a camp counselor, but may not perform speaking duties other than those normally associated with camp counselor duties (e.g., skill instruction).	• Similar concerns may exist for other sports. • Sponsored an alternative proposal (2008-30-B) to broaden the application and specify that an institution shall not employ (either on a salaried or a volunteer basis) an individual who is involved in coaching prospective student-athletes or is associated with a prospective student-athlete as a result of the prospective student-athlete's participation in basketball as a speaker or presenter at any athletically related events or activities (e.g., booster club functions or as an outside consultant). o Adoption of Proposal No. 2008-30-B would render Proposal No. 2008-30-A moot.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-31	RECRUITING -- USE OF RECRUITING FUNDS -- RECRUITING SERVICES -- VIDEO SERVICES	To eliminate the requirement that off-campus observation of a prospective student-athlete on a video that is made available by a scouting service be considered an evaluation activity subject to applicable evaluation regulations.	Withdrawn by sponsor.
2008-32	ELIGIBILITY -- GENERAL ELIGIBILITY REQUIREMENTS -- FULL-TIME ENROLLMENT -- REQUIREMENT FOR COMPETITION -- NONTRADITIONAL COURSES	To specify that enrollment in a nontraditional course (e.g., distance-learning, correspondence, extension, Internet courses, independent study or any other course or credit that is not earned in a typical face-to-face classroom environment with regular contact hours between the instructor and the student) offered by the certifying institution may be used to satisfy the full-time enrollment requirement for competition, provided the specified conditions are met.	• Sentiment expressed that institutional policy should govern full-time enrollment. • Flexibility could reduce missed class time and benefit teams for which significant travel is required. • Suggestion made that a limit on the number of courses that may be used may be appropriate. • Concern expressed related to potential for abuse. • Legislation would apply to cross-listed courses. o Courses offered at another institution, but recognized by the certifying institution as regular enrollment.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-33	ELIGIBILITY -- SEASONS OF COMPETITION -- FIVE-YEAR RULE -- CRITERIA FOR DETERMINING SEASON OF ELIGIBILITY -- DELAYED ENROLLMENT -- WOMEN'S VOLLEYBALL	In women's volleyball, to specify that a student-athlete who does not initially enroll full time in a collegiate institution within one year following the high school graduation date of the student-athlete's class and participates in organized events after the one-year period, shall be charged with a season of intercollegiate competition for each year of participation and shall fulfill an academic year in residence on matriculation at the certifying institution before being eligible to represent the institution in intercollegiate competition.	Preliminary support.
2008-34	ELIGIBILITY -- FRESHMAN ACADEMIC REQUIREMENTS -- CORE CURRICULUM TIME LIMITATION -- STUDENTS WITH EDUCATION IMPACTING DISABILITIES	To specify that if a prospective student-athlete with a diagnosed education-impacting disability graduates from high school within the core-curriculum time limitation, he or she may use up to three core courses completed after high school graduation to satisfy the core-curriculum or minimum grade-point average requirements, or both.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-35	ELIGIBILITY -- PROGRESS-TOWARD-DEGREE REQUIREMENTS -- REGULATIONS FOR ADMINISTRATION OF PROGRESS TOWARD DEGREE -- NONTRADITIONAL COURSES	To specify that nontraditional courses (e.g., distance-learning, correspondence, extension, Internet courses, independent study or any other course or credit that is not earned in a typical face-to-face classroom environment with regular contact hours between the instructor and the student) completed at a four-year institution other than the certifying institution, may be used to meet credit hour and percentage-of-degree requirements, provided the specified conditions are met.	• Sentiment expressed that institutional policy should govern full-time enrollment. • Flexibility could reduce missed class time and benefit teams for which significant travel is required. • Suggestion made that a limit on the number of courses that may be used may be appropriate. • Concern expressed related to potential for abuse. • Legislation would apply to cross-listed courses. o Courses offered at another institution, but recognized by the certifying institution as regular enrollment.
2008-36	ELIGIBILITY -- PROGRESS-TOWARD-DEGREE REQUIREMENTS -- ELIGIBILITY FOR COMPETITION -- INTERNATIONAL COMPETITION WAIVER -- USE OF CREDITS EARNED	To specify that credits earned by a student during the term or terms to which an international competition waiver applies may be used to satisfy the 24/36 hour, percentage-of-degree and grade-point average progress-toward degree requirements.	Preliminary support.
2008-37	ELIGIBILITY -- TRANSFER REGULATIONS -- EXCEPTIONS FOR TRANSFERS FROM FOUR-YEAR COLLEGES -- CHURCH MISSION	To eliminate the church mission exception to the transfer residence requirement for transfers from four-year colleges.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-38	ELIGIBILITY -- TRANSFER REGULATIONS -- FOUR-YEAR COLLEGE TRANSFERS -- COMPETITION AND RECEIPT OF ATHLETICALLY RELATED FINANCIAL AID IN YEAR OF TRANSFER -- TENNIS	In tennis, to specify that a transfer student from a four-year institution who enrolls at the certifying institution as a full-time student after the conclusion of the first term of the academic year and qualifies for an exception to the one-year residence requirement shall not be eligible for competition until the following academic year if he or she has competed during the same academic year and received athletically related financial aid during the same academic year from the previous four-year institution.	Preliminary support.
2008-39	ELIGIBILITY -- OUTSIDE COMPETITION, EFFECTS ON ELIGIBILITY -- EXCEPTION -- CONFERENCE ALL-STAR COMPETITION AGAINST U.S. NATIONAL TEAM -- WOMEN'S ICE HOCKEY	In women's ice hockey, to specify that a student-athlete may compete during the academic year as a member of a conference all-star team in up to two contests against the U.S. Women's National Ice Hockey Team in the 12 months prior to the Winter Olympic Games, provided the student-athlete is academically eligible for competition at the time of the competition.	Preliminary support.
2008-40	FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT -- WOMEN'S VOLLEYBALL	In women's volleyball, to increase the maximum institutional grant-in-aid limitation from 12 to 13.	• Agreed that the concept should be considered as part of the NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet's examination of maximum institutional grant-in-aid limitations. • Noted potential addition of sand volleyball may have an impact on the volleyball limit.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-41	FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT -- BASEBALL	In baseball, to increase the annual limit on the value of financial aid awards (equivalencies) to counters from 11.7 to 14.	• Agreed that the concept should be considered as part of the Division I Awards, Benefits, Expenses and Financial Aid Cabinet's examination of maximum institutional grant-in-aid limitations. • Sentiment expressed that significant changes were only recently made to the baseball financial aid regulations.
2008-42	AWARDS, BENEFITS AND EXPENSES -- COMPLIMENTARY ADMISSIONS AND TICKET BENEFITS -- POSTSEASON EVENTS	To specify that an institution may provide each student-athlete who participates in or is a member of a team participating in a postseason event (e.g., conference championship, NCAA championship, National Invitation Tournament, bowl game) with six complimentary admissions to all intercollegiate athletics events at the site at which the student (or team) participates.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-43	AWARDS, BENEFITS AND EXPENSES -- HOUSING AND MEALS -- FRUIT, NUTS AND BAGELS	To specify that an institution may provide fruit, nuts and bagels to student-athletes at any time.	• Overall potential for increased costs, but a possible practical savings or maintenance of supplement budget. o Cost could be shifted from supplements to fruit, nuts and bagels. • Potential to provide better nutrition to student-athletes. • Is the legislation necessary? o Is the current meals and benefits legislation sufficient to meet the nutritional needs of student-athletes? o Encourage responsible behavior of student-athletes and full use of current legislation. • Potential recruiting advantage.
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	To specify that return transportation 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.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-45	PLAYING AND PRACTICE SEASONS -- GENERAL REGULATIONS -- SKILL INSTRUCTION -- SPORTS OTHER THAN FOOTBALL -- CONCURRENT SESSIONS	In sports other than football, to specify that prior to September 15 and after April 15, no more than four student-athletes from the same team may be involved in skill-related instruction with their coaches at any one time in any one facility.	• Concern expressed related to potential advantage for institutions with multiple facilities. o Coaches could devote more time to recruiting activities.
2008-46	PLAYING AND PRACTICE SEASONS -- BASEBALL -- PRESEASON PRACTICE AND FIRST CONTEST -- CHAMPIONSHIP SEGMENT	In baseball, to specify that in the championship segment, an institution shall not commence practice sessions prior to the Friday that is three weeks prior to the first permissible contest date for the championship segment and shall not play its first contest (game or scrimmage) with outside competition prior to the Friday in February that is 14 weeks before the Friday immediately preceding Memorial Day.	• Noted that the current legislation has only been in effect for one year. o Time may not be sufficient to fully evaluate impact and potential options within the current legislation. o Change would erode compromise reached related to geographical realities.
2008-47	PLAYING AND PRACTICE SEASONS -- BASEBALL -- MAXIMUM NUMBER OF CONTESTS -- 52 DURING THE CHAMPIONSHIP SEGMENT AND FOUR DURING THE NONCHAMPIONSHIP SEGMENT	In baseball, to specify that an institution shall limit its total playing schedule with outside competition during the institution's playing season to 52 contests (games and scrimmages) during the championship segment and four contests (games and scrimmages) during the nonchampionship segment.	Withdrawn by sponsor.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-48	PLAYING AND PRACTICE SEASONS -- BASEBALL -- MAXIMUM NUMBER OF CONTESTS -- 52	In baseball, to reduce the maximum number of contests from 56 to 52.	• Noted that the NCAA Division I Board of Directors has indicated intent to review the recently adopted baseball legislation after three years. • Sentiment expressed that the issues may not have been fully reviewed prior to the adoption of the current legislation.
2008-49	PLAYING AND PRACTICE SEASONS -- BASKETBALL -- FIRST CONTEST -- EXCEPTIONS -- INFORMAL PRACTICE SCRIMMAGES -- NO MISSED CLASS TIME	In basketball, to specify that no class time shall be missed in conjunction with an informal practice scrimmage, including activities associated with such scrimmages (e.g., travel, pregame and postgame activities).	Preliminary support.
2008-50	PLAYING AND PRACTICE SEASONS -- WOMEN'S BASKETBALL -- FIRST CONTEST EXCEPTIONS AND ANNUAL EXEMPTIONS -- FOREIGN TEAM IN U.S. AND USA BASKETBALL CLUB	In women's basketball, to eliminate the exception to the first contest date and the annual exemptions for exhibition contests against club members of USA Basketball and foreign teams in the U.S.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-51	PLAYING AND PRACTICE SEASONS -- PRESEASON PRACTICE -- CROSS COUNTRY, FIELD HOCKEY, WOMEN'S RUGBY, SOCCER, WOMEN'S VOLLEYBALL AND MEN'S WATER POLO	In cross country, field hockey, women's rugby, soccer and men's water polo, to specify that an institution shall not commence practice sessions before 16 days prior to the date on which the first permissible contest or date of competition may occur; further, in women's volleyball, to specify that an institution shall not commence practice sessions before 20 days prior to the date on which the first permissible contest may occur.	• An institution that delays its first contest would be able to practice more than those that start on the first permissible date. o Resulting in additional expenses in such circumstances. • Some anecdotal indication that starting dates would be the same or very similar under the current legislation or the proposal.
2008-52	PLAYING AND PRACTICE SEASONS -- FOOTBALL -- PRESEASON PRACTICE -- LIMIT ON NUMBER OF PARTICIPANTS -- REPLACEMENT OF STUDENT-ATHLETE DUE TO INJURY OR ILLNESS	In football, to specify that a student-athlete who sustains an injury or illness that prevents further participation in preseason practice activities may be replaced with another student-athlete without including that individual in the institution's limitation on the number of individuals who may participate in preseason practice.	• NCAA Division I Football Championship Subdivision Governance Committee expressed preliminary opposition. o Concern related to potential financial impact and potential abuse of the rule, in that it may result in "tryouts." • NCAA Football Bowl Subdivision o Suggestion to add clarifying language from rationale to text of the legislation. o Noted that the preclusion of a replaced student-athlete from further participation in practice activities (including meetings and film review) should alleviate concern related to the nature of the injury or illness.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-53	PLAYING AND PRACTICE SEASONS -- GOLF -- MAXIMUM CONTEST LIMITATIONS -- DETERMINATION OF DATE OF COMPETITION	In golf, to specify that an institution is considered to have used a date of competition if five or more student-athletes participate on behalf of the institution or any number of student-athletes contribute to a team score on a particular date.	• May result in a potential competitive advantage and not fully address varsity and subvarsity issues. • Sponsor indicated support of the American Golf Coaches Association.
2008-54	PLAYING AND PRACTICE SEASONS -- GOLF -- ANNUAL EXEMPTIONS -- HAWAII OR ALASKA	In golf, to specify that the dates of competition for one tournament per year in Hawaii or Alaska either against or under the sponsorship of an active Division I member located in Hawaii or Alaska, by a member located outside the area in question are exempted from the maximum number of dates of competition.	Preliminary support.

2008-55	PLAYING AND PRACTICE SEASONS -- WOMEN'S SOCCER -- FIRST CONTEST OR DATE OF COMPETITION -- 12-WEEK SEASON	In women's soccer, to specify that an institution shall not play its first contest or engage in its first date of competition (game) with outside competition prior to the 12th weekend prior to the start of the women's soccer championship.	• Noted that the current legislation has only been in effect since August 1, 2008.
			• Is the legislation necessary?
			  o Will men's soccer seek the same change next year?
			• Legislation has changed frequently in recent years.
			  o Changes were due to attempt to conduct the men's and women's championships on the same weekends, which did not succeed logistically.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-56	PLAYING AND PRACTICE SEASONS -- TENNIS -- MAXIMUM NUMBER OF DATES OF COMPETITION -- INDIVIDUAL SINGLES OR DOUBLES TOURNAMENT LIMITATIONS -- NUMBER OF PARTICIPANTS	In tennis, to increase from three to four the number of student-athletes who may participate in an individual singles or doubles tournament without counting the event as one of the institution's dates of competition.	Preliminary support.
2008-57	PLAYING AND PRACTICE SEASONS -- TRACK AND FIELD -- SAFETY EXCEPTION -- HURDLES AND STEEPLECHASE	To specify that a coach may be present during voluntary individual workouts in the institution's regular practice facility (without the workouts being considered as countable athletically related activities) when the student-athlete is engaged in jumping hurdles or the jumping element of the steeplechase.	• Does a true safety issue exist for these events? • Would other events or sports seek for similar provisions (e.g., jumping elements of other sports).
2008-58	CHAMPIONSHIPS AND POSTSEASON FOOTBALL -- CRITERIA FOR ESTABLISHMENT OR CONTINUATION OF CHAMPIONSHIPS -- MINIMUM SPONSORSHIP FOR CHAMPIONSHIPS -- WOMEN'S SPORTS	To specify that a National Collegiate Championship or a division championship may be established in a women's sport if at least 40 institutions sponsor the sport.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-59	DIVISION MEMBERSHIP -- DEFINITIONS AND APPLICATIONS -- EMERGING SPORTS FOR WOMEN -- ARCHERY, BADMINTON, SYNCHRONIZED SWIMMING, TEAM HANDBALL AND SAND VOLLEYBALL	To add sand volleyball as an emerging sport for women; further, to remove archery, badminton, synchronized swimming and team handball as emerging sports for women and to eliminate other specified legislation associated with these sports (e.g., playing and practice season regulations, sports sponsorship minimum contest and participant requirements).	• Sand volleyball has satisfied established criteria to be considered by the membership for inclusion on the list of emerging sports for women. • Addition of sand volleyball and the removal of the other sports will be addressed in separate votes. • Concern expressed related to the timing of implementation of sand volleyball and its impact on "indoor" volleyball (e.g., potential impact on the number of coaches/burden on coaches, impact on scholarships). • Concern with moving forward prior to other issues (e.g., playing and practice seasons, financial aid) being addressed or outlined.
2008-60	DIVISION MEMBERSHIP -- PROVISIONAL MEMBERSHIP PROCESS AND REQUESTING RECLASSIFICATION -- INSTITUTIONS SUBJECT TO ACADEMIC PERFORMANCE PROGRAM PENALTIES	To specify that the NCAA Division I Administration Cabinet may deny an institution's advancement to active Division I membership for any Division II institution seeking reclassification to Division I or any provisional member seeking active Division I status, if any of the institution's sport programs are subject to penalties pursuant to the NCAA Division I Academic Performance Program.	• Noted that language is intentionally vague to allow for flexibility in application. • Noted that review authority currently exists. o Additional language would better protect against legal challenges.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-62	COMMITTEES -- COMMITTEES REPORTING TO BOARD OF DIRECTORS -- DIVISION I PRESIDENTIAL ADVISORY GROUP -- DUTIES -- LEGISLATIVE ISSUES	To specify that members of the NCAA Division I Presidential Advisory Group who represent Football Championship Subdivision conferences shall have the authority to act on behalf of the Football Championship Subdivision members of the Board of Directors on legislative issues that relate to championship subdivision football, subject to review by the full Board of Directors.	Preliminary support.
2008-63	DIVISION MEMBERSHIP -- MEMBERSHIP REQUIREMENTS -- MINIMUM PARTICIPANTS REQUIREMENTS FOR SPORTS SPONSORSHIP -- TRACK AND FIELD -- MULTI-DAY MEETS	In track and field, to specify that if the number of student-athletes participating in a multi-day meet on behalf of the institution over the course of the entire meet equals or exceeds the minimum number of participants required for sports sponsorship and the meet is conducted on consecutive days, an institution may use the competition as a contest in meeting the minimum-contest requirements.	• Possible unintended consequences as it relates to the application of NCAA Bylaw 17 maximum contest limitations. • Noted that currently, in the case of a multiday meet, 14 student-athletes must compete only on at least one day of the meet in order for the meet to count toward the institution's minimum number of contests for the purpose of sport sponsorship.
2008-64	DIVISION MEMBERSHIP -- MEMBERSHIP REQUIREMENTS -- FOOTBALL BOWL SUBDIVISION REQUIREMENTS -- WAIVERS	To specify that the members of the NCAA Division I Administration Cabinet representing NCAA Division I Football Bowl Subdivision (FBS) conferences, by a two-thirds majority of those members present and voting, may grant waivers of the FBS membership requirements.	Preliminary opposition. • Agreed that the concept should be considered as part of the Leadership Council's broader examination of membership requirements during the membership moratorium.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-65	ADMINISTRATIVE REGULATIONS -- FOREIGN TOURS AND COMPETITION -- TIMING OF TOUR -- PROHIBITION DURING ACADEMIC YEAR LABOR DAY VACATION PERIOD	To specify that an institution shall not participate in a foreign tour that occurs in conjunction with a Labor Day academic year vacation period.	Preliminary support.
2008-66	ADMINISTRATIVE REGULATIONS -- RECRUITING CALENDARS -- FOOTBALL -- DEAD PERIOD	In football, to specify that an institution shall designate two weeks (not required to be consecutive) during the months of June and July as a dead period.	FCS: Preliminary opposition. FBS: Preliminary opposition.
2008-67	ADMINISTRATIVE REGULATIONS -- RECRUITING CALENDARS -- SOFTBALL -- CONTACT PERIOD AUGUST 1 THROUGH THE DAY PRIOR TO THANKSGIVING DAY	In softball, to establish a contact period from August 1 through the day prior to Thanksgiving Day.	• Noted that the current legislation has only been effective since August 1, 2007. • Would ease stress on prospective student-athletes and missed class time created by a truncated period.
2008-68	ADMINISTRATIVE REGULATIONS -- RECRUITING CALENDARS -- WOMEN'S LACROSSE -- FALL EVALUATIONS	In women's lacrosse, to specify that during the fall contact period, evaluations of prospective student-athletes participating in lacrosse activities who have not started their senior year in high school are limited to the three weekends prior to Thanksgiving.	• Will likely be difficult to determine/verify whether all participants in the events are seniors. • Sponsor indicated that the proposal likely will be modified to be similar to current men's lacrosse recruiting calendar.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-70	EXECUTIVE REGULATIONS -- SELECTION OF TEAMS AND INDIVIDUALS FOR CHAMPIONSHIPS PARTICIPATION -- AUTOMATIC QUALIFICATION -- ADDITIONAL REQUIREMENTS, SPORTS OTHER THAN MEN'S BASKETBALL -- MULTISPORT CONFERENCE -- DEFINITION OF CORE INSTITUTION	In sports other than men's basketball, to specify that for the purposes of multisport conference eligibility for automatic qualification in a particular sport, a core institution is an institution that has been an active member of Division I during the eight preceding years or an institution that has sponsored the sport at the Division I level the eight preceding years.	• Provides greater flexibility for multisport conferences in meeting automatic qualification eligibility requirements in sports other than men's basketball. • Potentially dilutes original intent of legislation designed to reward multisport conferences with active Division I institutions, not non-Division I institutions sponsoring a Division I sport. • Agreed that the concept should be considered as part of the Leadership Council's broader examination of membership requirements during the membership moratorium. • Adoption of Proposal No. 2008-70 would render Proposal Nos. 2008-71 and 2008-72 moot.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-71	EXECUTIVE REGULATIONS -- SELECTION OF TEAMS AND INDIVIDUALS FOR CHAMPIONSHIPS PARTICIPATION -- AUTOMATIC QUALIFICATION --ADDITIONAL REQUIREMENTS, SPORTS OTHER THAN MEN'S BASKETBALL -- MULTISPORT CONFERENCE -- EXCEPTION -- MEMBER THAT HAS SPONSORED THE SPORT AT THE DIVISION I LEVEL THE EIGHT PRECEDING YEARS	In sports other than men's basketball, to specify that a multisport conference that falls below six core members may be considered for automatic qualification in that sport, provided the conference adds an institution to its membership (for a total of at least six members) that has sponsored the sport for the preceding eight years at the Division I level and at least six institutions (including the added institution) have conducted conference competition together at the Division I level in the sport the preceding two years.	• Provides greater flexibility for multisport conferences in meeting automatic qualification eligibility requirements in sports other than men's basketball (not as flexible as Proposal No. 2008-70). • Potentially dilutes original intent of legislation designed to reward multisport conferences with active Division I institutions, not non-Division I institutions sponsoring a Division I sport. • Agreed that the concept should be considered as part of the Leadership Council's broader examination of membership requirements during the membership moratorium. • Would be rendered moot by adoption of Proposal No. 2008-70.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-72	EXECUTIVE REGULATIONS -- SELECTION OF TEAMS AND INDIVIDUALS FOR CHAMPIONSHIPS PARTICIPATION -- AUTOMATIC QUALIFICATION -- ADDITIONAL REQUIREMENTS, SPORTS OTHER THAN MEN'S BASKETBALL -- MULTISPORT CONFERENCE -- EXCEPTION -- SPORTS SPONSORSHIP	In sports other than men's basketball, to specify that a multisport conference that adds a conference-sponsored sport may be considered for automatic qualification in that sport, provided at least six institutions have conducted conference competition together at the Division I level for the preceding two years and the sport is sponsored by less than 65 percent of the Division I membership.	• Provides greater flexibility for multisport conferences in meeting automatic qualification eligibility requirements in sports other than men's basketball. (Current rules provide an exception for sports not sponsored by a majority of the Division I membership.) • Potentially dilutes original intent of legislation designed to reward multisport conferences with active Division I institutions, not non-Division I institutions sponsoring a Division I sport. • Agreed that the concept should be considered as part of the Leadership Council's broader examination of membership requirements during the membership moratorium. • Would be rendered moot by adoption of Proposal No. 2008-70.
2008-74	PLAYING AND PRACTICE SEASONS -- BASEBALL -- FIRST CONTEST -- CHAMPIONSHIP SEGMENT -- ALUMNI CONTEST	In baseball, to permit an alumni contest to be conducted the weekend prior to the first permissible contest date of the championship segment.	• Noted that alumni contests may currently be conducted in the fall. • May be difficult for many alumni to participate in the fall. • Noted that conditions may not be ideal in the early spring.

REPORT OF THE NCAA DIVISION I COMMITTEE ON INFRACTIONS

1. ACTION ITEMS

a. Issue/Subject. Amend Bylaw 32.6.2.

Intent: To specify that all involved individuals shall be provided pertinent portions of the institutional response to the notice of allegations.

Bylaw: Amend 32.6.2 as follows:

32.6.2 Notice to Involved Individuals. The enforcement staff shall notify involved individuals (as defined in Bylaw 32.1.5) of the allegations in a notice of allegations in which they are named. A copy of the notification shall also be forwarded to the chancellor or president of the current institution of the involved individual. All involved individuals shall submit responses to the Committee on Infractions, and the institution under inquiry shall provide a copy of pertinent portions of its response to each involved individual *who will attend the Committee on Infractions' hearing* in the case. Involved individuals who have submitted a response must also share their response with the involved institutions or other involved individuals as necessary. Failure to submit a response may be viewed by the Committee on Infractions as an admission that the alleged violations occurred. The enforcement staff shall notify those involved individuals named in the notice of allegations who may be subject to the show cause requirements as outlined in Bylaw 19.5.2.2 if violations are found in which they are named.

Source: Division I Committee on Infractions.

Effective Date: Immediate.

Proposal Category: Policies/Procedures.

Topical Area: Enforcement Procedures.

Rationale: An institution is currently required to provide copies of its response to the notice of allegations only to those involved individuals who will attend the infractions hearing. In some instances, an involved individual may not be able to make an informed decision about his/her attendance at the hearing until after he/she has read the institution's response. In practice, most institutions provide the response regardless of hearing attendance. The proposed modification seeks to codify that practice to ensure that all involved individuals have the opportunity to review the institution's response.

Estimated Budget Impact: The cost of the reproduction of an institution's response should be minimal.

REPORT OF THE
NCAA DIVISION I CHAMPIONSHIPS/SPORTS MANAGEMENT CABINET

The NCAA Division I Championships/Sports Management Cabinet submits this report from action taken on its December 2, 2008, conference call.

INFORMATIONAL ITEM.

- **Championships Travel**. The cabinet continued its review of financial issues related to championships travel. Specifically, the cabinet reviewed and discussed the impact of the tier one and tier two recommendations adopted by the cabinet in September, 2008. NCAA staff summarized the feedback received from the membership as well as initial financial data from the fall championships that were impacted by the changes designed to mitigate travel challenges, both financial and logistical. It was noted that through November 24, 2008, it appeared that the changes have resulted in a reduction in travel costs.

  The "tier-two" recommendation increased the travel policy mileage limitation threshold from 350 to 400 miles and increased the policy regarding ground commute from the nearest airport to the championships site from 120 to 150 miles. After considering the feedback from the membership and the travel-related data gathered from the fall championships, the cabinet agreed to implement the changes for winter and spring championships and to extend the mileage limitation threshold for men's and women's basketball from 300 to 350 and the airport commute mileage threshold from 120 to 150.

  While many variables will continue to impact travel costs, the cabinet expressed cautious optimism that the changes will continue to mitigate challenges related to championships travel. The cabinet will continue to be diligent in its efforts to promote cost effective championships while providing the best possible championships experience for the student-athletes. During its summer 2009 conference call, the cabinet will review the travel-related data and feedback from the membership on all championships and determine whether the changes should remain in effect.

  Finally, the cabinet requested that the NCAA staff provide a summary of the NCAA's cost cutting initiatives, including nonchampionships initiatives, during the cabinet's summer 2009 conference call or its fall 2009 in-person meeting.

Committee Chair: Jeff Schemmel, San Diego State University
Staff Liaisons: R. Wayne Burrow, Championships
Joni B. Comstock, Championships
Carol A. Reep, Championships
David W. Schnase, Membership Services

The National Collegiate Athletic Association
December 5, 2008 DWS:jb/ks

Report of the January 17, 2009, Division I Board of Directors and the January 15, 2009, Leadership Council Meetings

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Report of the NCAA Division I Board of Directors meeting
January 17, 2009

Section One

Actions taken on items considered only by the
Board of Directors.

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1. Opening remarks.

2. **Minutes of the October 29 – 30, 2008, Board of Directors meeting.** [Reference BD Supplement No. 1.]

   BOARD ACTION: Approved the minutes as distributed. (Unanimous Voice Vote.)

3. **Report of the October 30, 2008, meeting of the NCAA Executive Committee.** [Reference BD Supplement No. 2.]

   BOARD ACTION: Received a written report.

4. **NCAA president's report.**

   a. **Status report regarding Youth Basketball Initiative.**

      BOARD ACTION: Were informed that with the hiring of a president for the youth basketball initiative, the foundation for the management of this effort is being laid; from establishing an office and finding a technology partner, to initiating efforts to connect with key shareholders in the sport of basketball.

      [Note: It is anticipated that the president will be able to share the prioritized path for this initiative with the Board as early as its April 2009 meeting.]

   b. **Head Coaches Academic Progress Rate Initiative.**

      BOARD ACTIONS:

      (1) Approved the development and implementation of a publicly available Website search mechanism that will provide for each Division I head coach a "life-time APR batting average accounting" for all head coaching years. The report will include each year, school and APR used to create this running rate. This report

will include previously collected APR information and could be launched as early as the spring of 2010.

(2) Charged the Committee on Academic Performance with completing the necessary implementation details and with sharing its resulting recommendations with the Board by its August 2009 meeting. Elements the CAP will seek to develop include the supporting descriptive language and whether the report should include the name of other institutional representatives, including presidents.

(3) Supported a recommendation to initiate efforts to gather additional academic and other information specific to head coaches so that the information is ultimately available to develop a secure Website. That Website would be available as a tool for institutional presidents, providing them with access to NCAA specific information pertaining to head coaches.

(4) Noted that the development of such a secure Website warranted a deliberative approach given the complexity and cost associated with this potential resource.

[Note: The Board will continue to receive updates on efforts to gather this additional information.]

5. Litigation update.

BOARD ACTION: Received a report from the NCAA general counsel regarding current cases involving the Association.

6. Governmental relations report. [Reference BD Supplement No. 4.]

BOARD ACTION: Received a report and took no action.

7. Report of the Division I Presidential Advisory Group January 12 conference call. [Reference BD Supplement No. 5.]

BOARD ACTION: Received a report from the Division I Presidential Advisory Group's January 12, 2009, conference call and heard comments from the group's chair throughout the meeting regarding pertinent points raised by the group.

8. Task Force on Commercial Activities – Principles. [Reference BD Supplement No 6.]

BOARD ACTIONS:

a. Reviewed a final report of the Board-appointed Task Force on Commercial Activity in Intercollegiate Athletics that included a preamble; a historic perspective that explores the concepts and practices of amateurism, professionalism and commercialism; the task force charge outlining the group's anticipated work product; and a set of recommended principles and best practices.

b. Received a presentation from the task force chair and following discussion, agreed to forward the report to the Leadership Council to manage discussion, through the governance structure and the membership.

c. Asked the Leadership Council and substructure to consider the development of implementing legislation in those areas where clear parameters are apparent and/or the development of best practices where informed judgment and flexibility are favored. The Leadership Council is expected consider the report at its next meeting.

9. Update on the work and recommendations of the Men's Basketball Academic Enhancement Group. [Reference BD Supplement No. 7.]

BOARD ACTIONS:

a. Received an update on the BAEG's recent December meeting and learned the timeline to provide a final report to the Board is the end of the 2008-09 academic year.

b. Were informed:

- That the committee is modifying its required summer school model for the initial and second summers to focus attention on underperforming student-athletes and teams, rather than all men's basketball players.

- The Committee on Academic Performance and the Academic Cabinet are expected to assist in evaluating data to support possible initiatives and rule changes that would provide for a time period to better prepare low academic achievers for the academic rigors of college.

- The Committee plans to meet in April to further consider these items and to consider issues and comments received related to APR calculations.

10. Status report on the efforts of the Football Academic Working Group. [Reference BD Supplement No. 8]

BOARD ACTION: Received an oral update on the preliminary work of the six subcommittees of the Football Academic Working Group and the committee's plan to meet in early March. The committee is maintaining close contact with the Men's Basketball Academic Enhancement Group and is focusing its work on eligibility, retention and finances for both the Football Bowl and Football Championship subdivisions. The committee is not expected to submit its final report to the Board until the summer of 2009.

11. Report from the Working Group Examining Issues Associated with Academic Risk. [Reference BD Supplement No. 9.]

BOARD ACTION: Received a report from the chair of the working group that was appointed in response to the issues identified in the report of the Presidential Task Force on the Future of Division I Intercollegiate Athletics pertaining to the academic risk of student-athletes, and were informed that:

- The group conceptualized risk to include all the factors that can reduce a student-athletes chance of graduating, including nonacademic factors.

- A student-athlete's level of risk may fluctuate throughout the course of his or her collegiate enrollment. As a result, risk assessments should not be limited to the point of student-athlete entry; rather they should continue throughout a student-athlete's career.

- In response, the group recommends the Facilitating Learning and Achieving Graduation Program (FLAG), which is intended to:

    - Optimize campus environment to leverage opportunities for graduation success.

    - Increase efficiency of current service including academic support and life skills programs.

    - Inform decision-making regarding recruiting, admissions and program resources.

- The FLAG program will determine an individual student-athlete's hurdles to graduation, match support services for an individual student-athlete to navigate the hurdles, and evaluate the level and effectiveness of services provided.

[Note: The full recommendations of the working group will be reviewed by the Academic Cabinet in February and if approved, implementation could begin as early as Fall 2009.]

12. Division I Governance Structure Update.

BOARD ACTION: Were informed that the request to override the Board of Directors previous adoption of Proposal No. 2007-30-C – Recruiting -- Contacts and Evaluations -- Men's Basketball Evaluations -- April Contact Period was not successful. [Vote: For 118, Against 144, Abstain 2.] Therefore, the Board of Directors previous adoption of Proposal No. 2007-30-C was upheld.

a. Update from the substructure, including a report from the Communications and Coordination Committee. [Reference BD Supplement No. 10.]

BOARD ACTIONS:

(1) Received an update on the impact of the new Division I governance structure in which it was reported that the new structure, appears to have resulted in great strides being made in the development of a more coordinated Division I governance agenda. This more coordinated approach is due, in part, to the high level of communication that exists between the members of the Communications and Coordination Committee; and

(2) Learned that with the systems now apparently in place to enhance the level of coordination, the focus is on identifying effective and simple ways to share governance information with the membership and ensuring the substructure, especially the Leadership Council, focuses on providing meaningful advice and assistance to the Board.

b. Report of the January 15, 2009, Division I Leadership Council. [Reference BD Supplement No. 11.]

BOARD ACTIONS:

(1) Heard from the chair of the Leadership Council that in an effort to enhance the level of governance-related communication, the council, during its Convention meeting, had an opportunity to discuss key issues on the Division I agenda with the Collegiate Commissioners Association, the cabinet chairs, the Legislative Council and the Student-Athlete Advisory Committee;

(2) Learned that the Leadership Council is continuing its important, yet difficult, examinations of Division I membership standards and ways to enhance diversity within the Division I governance structure; and

(3) Were informed that the council eagerly accepts its charge from the Board to develop recommendations regarding the necessary implementation details related to the Boards' guiding principles on commercial activity in Division I intercollegiate athletics.

c. Report of the January 14 – 15, 2009, Division I Legislative Council. [Reference BD Supplement No. 12.]

BOARD ACTIONS:

(1) Briefly reviewed with staff, the new legislative process, set forth below as follows:

(a) The Legislative Council is responsible for considering all legislative proposals and providing a report to the Board. [Note: Proposals receiving two-thirds support by the Legislative Council at its January meeting are considered adopted, but the actions are not considered final until the conclusion of the Board of Directors meeting.]

(b) The Board, upon receipt of the Legislative Council report, has authority to consider any proposal adopted by the council but is not required to do so.

(2) Received a report from the chair of the Legislative Council in which he highlighted the key legislative actions by the council and heard from both the chair and staff that there appeared to be only one legislative action that required additional Board review. That action was the Legislative Council's adoption of Proposal No. 2008-62 Committees -- Committees Reporting to Board of Directors -- Division I Presidential Advisory Group -- Duties -- Legislative Issues.

(3) Agreed to table for consideration in April, Proposal No. 2008-62 -- Committees -- Committees Reporting to Board of Directors -- Division I Presidential Advisory Group -- Duties -- Legislative Issues to allow time for the Division I Presidential Advisory Group to discuss the proposal at its next meeting and to present a position to the Board. (Unanimous Voice Vote.)

(4) Discussed whether Proposal Nos. 2008-32-A, 2008-35-A and 2008-35B, which were defeated by the Legislative Council, should be resurrected. Board members discussed whether, given the evolving methods of course delivery, the proposals should be considered but determined to take no further action, recognizing that the Academic Cabinet will continue its examination of this important issue.

[Note: Board members noted a desire to receive legislative assistance from both the NCAA staff and their member conferences in advance of the legislative meetings to ensure they had properly prepared for the legislative discussions.]

d. Modification to Bylaw 32.6.2.

BOARD ACTIONS: Approved the Committee on Infractions' recommended amendment to Bylaw 32.6.2, which now will require an institution to share its "response" to the Committee on Infractions with an "involved individual" who does not attend a Committee on Infractions hearing. (Unanimous Voice Vote.)

13. New NCAA Sportsmanship Initiatives. [Reference BD Supplement No. 13.]

BOARD ACTIONS:

a. Received a presentation in which it was explained that as a result of extensive research, which shows that negative fan conduct is a most serious issue, the NCAA Committee on Sportsmanship and Ethical Conduct launched a new sportsmanship initiative entitled "RESPECT."

b. Learned that this national campaign has two phases.

- Phase I is focused on addressing fan behavior with the RESPECT campaign and includes a new Website with downloadable materials, a presentation template for 2009 Spring conference meetings and partnerships with constituent groups.

- Phase II is focused on creating a culture of respect on campuses. It will include identifying campus leaders charged with coordinating efforts to create and sustain a culture of respect, creating best practices and establishing accountability measures.

14. Update regarding championships travel initiatives. [Reference BD Supplement No. 14.]

BOARD ACTIONS:

a. Heard a presentation about the impact of staff and governance driven changes to championship travel policies, which includes implementation of a travel software tool, baggage limits and an increase in the driving mileage requirements;

b. Learned that the preliminary findings have shown cost savings and that the staff, along with the governance structure, will continue to look for ways to provide cost savings, mindful that ensuring a positive student-athlete championships experience is the primary objective; and

c. Asked to receive regular updates on the situation and suggested the staff explore whether the increase in the mileage driving requirements has any impact on missed class time.

15. Future meeting dates.

a. April 30, 2009, National Office, Indianapolis, Indiana.
b. August 6, 2009, National Office, Indianapolis, Indiana.
c. October 29, 2009, National Office, Indianapolis, Indiana.

16. Adjournment.

Section II

Action taken on items considered by the Leadership Council on January 15, 2009

1. Discussion regarding ways to enhance the level of communication and cooperation between the CCA and the Leadership Council.

LDC ACTIONS:

a. Discussed the importance of ensuring there is a high level of communication and a spirit of cooperation between the Leadership Council and the Collegiate Commissioners Association under the new Division I governance structure;

b. Noted that while there is a natural synergy between the Leadership Council and the CCA, they play different roles within the governance structure; with the CCA members representing local constituencies and the Leadership Council charged with having a more national focus. Given the difference in focus, the Leadership Council member should strive to play a leadership advisory role, and seek to move the Division I agenda forward by focusing on providing advice and ideas to the Board of Directors and other governance bodies; and

c. Discussed the importance of establishing good lines of communication between the governance bodies and the 31 multisport conferences, and acknowledged this point is particularly acute for the conferences in the FCS/Division I subdivisions as they are not represented on every cabinet.

2. Status report and review of proposed timeline for membership consideration of the recommendations of the Men's Basketball Academic Enhancement Group and the Women's Basketball Issues Committee in advance of conference spring meetings. [Reference LDC Supplement No. 1.]

LDC ACTIONS:

Men's Basketball.

a. Received an update on the ongoing work of the Men's Basketball Academic Enhancement Group and learned that during its December 3 meeting, the group

modified some of its earlier recommendations after receiving comments and feedback from the membership.

b. Learned that the group is now recommending:

- Mandatory summer school based on the academic profile and performance of the individual student-athletes and institutional teams rather than mandatory summer school for all incoming men's basketball student-athletes.

  [Note: The details regarding impacted student-athletes and programs still need to be developed, but the BAEG has expressed preliminary interest in requiring summer school for entering student-athletes who are determined and defined to be "at risk."]

- That a similar concept to the one noted above be applied to student-athletes in the summer immediately following the first year of enrollment: No changes in the APR calculation in men's basketball at this time. [Note: The 0 for 2 subcommittee in a recent conference call revised its recommendations regarding APR adjustments and waivers.]

c. Learned that the BAEG is continuing to examine the concept of a "year of readiness" for both student-athletes initially enrolling and two-year college transfer student-athletes.

d. Learned that the group hopes to conclude its work by the end of this academic year so that the recommendations can be discussed by the membership at conference spring meetings and that any resulting legislation can be considered in the 2009-10 legislative cycle.

Women's Basketball.

- Were informed that the Women's Basketball Issues Committee is beginning to discuss concepts relative to the development of an academic-access model. The intention behind this effort is to develop a model that contributes to the long-term well-being and development of student-athletes, increases the potential of improved academic performance, enhances the coach and student-athlete relationship an acknowledges the role basketball plays in allowing student-athletes to achieve a sense of balance.

  [Note: The Women's Basketball Issues Committee has identified three preliminary concepts and plans to continuing its work in the months ahead.]

3. Discussion regarding proposed championships travel initiatives and NCAA budget priorities. [Reference LDC Supplement No. 2.]

LDC ACTIONS:

a. During the joint CCA/Leadership Council meeting, received an update on the preliminary findings regarding the impact of staff-driven and governance-driven changes to championship policies and learned that there appears to have been cost savings as a result of changes. The staff, along with the Sports Management Cabinet, will continue to monitor the situation to ensure the standards and deliverable results in a positive student-athlete experience.

b. Heard from group members that they would like to receive updates regarding the impact of these changes and wanted to ensure this is not creating a situation were the costs are being pushed to the institutions.

c. Briefly discussed whether, given the current economic situation, the current championship/competition methods were sustainable and, whether focus should be on "reengineering" existing models.

4. Status report regarding potential Division I membership principles and standards. [Reference LDC Supplement No. 3.]

LDC ACTIONS: During both the joint CCA/Leadership Council meeting and the Leadership Council meeting, members shared thoughts regarding membership standards in Division I.

a. Requiring conference membership before admission to the Division may lead to more cohesion among member schools and within a conference.

b. Evaluating the definition of a conference may be easier than developing institutional standards.

c. Thought should be given to "unlinking" aspects of membership requirements, whether it is automatic qualification, distribution, etc.

d. The Leadership Council continued its discussion in its private session, reviewing a document entitled "draft Fundamental Division /Membership Principals" and members offered thoughtful editorial comments, which were recorded by staff for further drafting.

e. Suggested that the group seek to identify principles and assumptions, which in turn should lead to the conditions of membership.

5. Review of permissible uses of the Student-Athlete Opportunity Fund. [Reference LDC Supplement No. 4.]

LDC ACTIONS: Confirmed that the current list of permissible uses under the Student-Athlete Opportunity Fund does not include upgrades to travel. [Approved by a substantial majority.]

7. Discussion regarding ways to enhance the level of diversity in the Division I governance structure. [Reference LDC Supplement No. 5.]

LDC ACTIONS:

a. Reviewed Supplement No. 5, which summarized the Leadership Council's discussions to date regarding possible ways to enhance the level of gender, ethnic and positional diversity serving within the governance structure. During the course of this review, requested additional data and information including:

(a) A presentation on the barriers study finding.

(b) Information, if any, on barriers relative to retention of ethnic minorities.

(c) Additional information about the available pool of potential nominees. [Note: The Leadership Council has already received some information regarding what was termed "pipeline" issues.

(d) A copy of the soon to be released best hiring practices.

(e) Information regarding sports management programs with the goal of working with programs to enhance information regarding careers.

b. Agreed that this requested material should be sent out in advance of the next meeting to assist the council members in preparation for the meeting.

c. Noted that while FARs are represented in the new governance structure, their involvement is not well distributed across all cabinets and heard from some of the

cabinet chairs that this lack of distribution of some areas in the structure limits the depth of discussions.

8. Governance Update.

a. Division I matters.

(1) Report from the November 5 2008, Leadership Council meeting. [Reference LDC Supplement No. 6.]

LDC ACTIONS: Approved the report.

(2) Discussion of legislative actions taken by the Legislative Council in advance of the January 17 Division I Board of Directors meeting. [Reference LDC Supplement No. 7.]

LDC ACTION:

a. Received a report from the chair of the Legislative Council in which he reported the council had a good meeting hallmarked by thorough review of proposals and good discussion.

b. Heard that the Legislative Council appears to be working hard to ensure that as it reviews legislation, it members are mindful of the broader agenda topics being considered by the governance structure.

(3) Report from the Communications and Coordination Committee. [Reference LDC Supplement No. 8.]

LDC ACTION: Received the report and were reminded that this group's reports serve as a wonderful source of information for those seeking to follow the status of key items on the Division I agenda.

(4) Discussion with the Division I cabinet chairs regarding Division I priorities.

LDC ACTIONS:

(a) Met with the chairs of the six cabinets in the Division I governance structure and had an opportunity to learn more about each cabinet's identified priority agenda items;

(b) When specifically asked, offered no objection to the Awards, Benefits and Financial Aid Cabinet's indication that it plans to examine the current structure of Division I financial aid awards;

(c) Noted no objection to the Recruiting Cabinet's request to take the lead on examining issues surrounding early recruitment.

(d) Heard from all the chairs regarding their desire to work together with the other governance bodies as they seek to develop a more coordinated Division I governance agenda.

(5) Report from the Student-Athlete Advisory Committee. [Reference LDC Supplement No. 9.]

LDC ACTIONS: Approved by unanimous vote, the appointment of Matt Baysinger, University of Kansas, Big Twelve Conference, as chair and Nick Fulton, University of Wisconsin Madison, Big Ten Conference as vice chair of the Division I Student-Athlete Advisory Committee; and thanked the outgoing chair, Kerry Kenny for his service to Division I.

b. Status reports on other Division I initiatives.

(1) Task Force on Commercial Activities in Intercollegiate Athletics. [Reference Supplement No. 10.]

LDC ACTIONS:

(a) Were informed that the Task Force on Commercial Activity in Intercollegiate Athletics has, over the course of the past six months, sought to develop a balanced statement of guiding principles regarding commercial activity; and

(b) Heard that the Task Force will present its principles to the Board of Directors at the Board's next meeting. If the Board is generally supportive, it is anticipated that the Board will direct the Leadership Council, with the help of the substructure, to manage necessary implementation steps and the possible development of legislation.

[Note: Any recommendations will ultimately be forwarded to the Board of Directors.]

(2) Football Academic Working Group. [Reference LDC Supplement No. 11.]

LDC ACTIONS: Received a brief report and took no action.

(3) Amateurism Cabinet review of issues associated with the definition of and involvement with a professional team.

LDC ACTION: Received an update from the chair regarding the cabinet's discussion during a December conference call and took no action.

c. Association-wide matters

(1) Committee on Women's Athletics. [Reference LDC Supplement No. 12.]

LDC ACTION: Received a written report and took no action.

(2) Sportsmanship and Ethical Conduct Committee. [Reference LDC Supplement No. 13.]

LDC ACTION: Received a written report and took no action.

9. News from the NCAA.

a. Litigation update.

LDC ACTION: Received a report from the NCAA general counsel regarding current cases involving the Association.

b. Governmental relations report. [Reference LDC Supplement No. 15.]

LDC ACTION: Received a written report and took no action.

10. Review of 2009 NCAA Convention schedule. [Reference LDC Supplement No. 16.]

LDC ACTION: Reviewed the Leadership Council's remaining functions at the 2009 NCAA Convention.

11. Other topics for the agenda and other items of business.

12. Adjournment.