A G E N D A

National Collegiate Athletic Association
Division I Board of Directors

NCAA National Office — October 29, 2009
Indianapolis, Indiana — 8 a.m. – Noon

1. Opening remarks.

2. Minutes of the August 6, 2009, Board of Directors meeting. [Supplement No. 1] [**Anticipated Action Item]**

3. Report of the Division I Presidential Advisory Group October 28, 2009, meeting. [Supplement No. 2 will be distributed at the meeting.] [No action anticipated.]

4. NCAA report from Jim Isch, interim president.

5. Reports from the Committee on Infractions and Infractions Appeals Committee. [Supplement No. 3] [Paul Dee, chair, Committee on Infractions; Chris Griffin, chair, Infractions Appeals Committee]

   - Committee on Infractions appointment. [Supplement No. 4] **[Anticipated Action Item.]**

6. Enforcement initiative in men's basketball. [Supplement No. 5] [Attachment] [David Price, vice president of Enforcement Services; LuAnn Humphrey, associate director of enforcement and Kevin Lennon, vice president of Academic and Membership Affairs will make this presentation. An appearance by Britton Banowsky, Conference USA; Dan Beebe, Big 12 Conference; Jim Delany, Big Ten Conference; Mike Slive, Southeastern Conference and Jim Haney, executive director of the ANBC to off support.] [**Anticipated Action Item]**

7. Request by The Big 12 Conference to sponsor a legislative proposal in the 2009-10 cycle regarding bowl licensing and eligibility for team selection to a bowl games. [Supplement No. 6]

8. Division I Revenues and expenses update. [Supplement No. 7] [No action anticipated.] [Todd Petr]

9. Report from the Committee on Academic Performance. [Supplement No. 8 will be distributed at the meeting.] [Walter Harrison, chair]

10. Division I Governance Structure Update.

    a. Discussion of legislative proposals related to the Basketball Academic Enhancement Group Report. [Supplement No. 9]

    a. Report of the Division I Governance Substructure. [Supplement No. 10] [No action anticipated.]

    b. Report from the October 6, 2009, Division I Leadership Council meeting. [Supplement No. 11] [No action anticipated.]

    c. Report of the October 19-20, 2009, Division I Legislative Council. [Supplement No. 12 -- An addendum will be distributed in advance of the meeting.]

    d. 2009 NCAA Convention. [Supplement No. 13A and B] [No action anticipated.]

11. Report of the August 6, 2009, meeting of the NCAA Executive Committee. [Supplement No. 14] [No action anticipated – for information only.]

12 Litigation update. [Supplement No. 15 will be distributed at the meeting.] [No action anticipated.]

13. Governmental relations report. [Supplement No. 16] [No action anticipated – for information only.]

14. Other business.

15. Future meeting dates.

    a. January 16, 2010, NCAA Convention, Atlanta, Georgia.

b. April 29, 2010, National Office, Indianapolis, Indiana

c. August 12, 2010, National Office, Indianapolis, Indiana

d. October 28, 2010, National Office, Indianapolis, Indiana

e. January 15, 2011, NCAA Convention, San Antonio, Texas

f. April 28, 2011, National Office, Indianapolis, Indiana

g. August 11, 2011, National Office, Indianapolis, Indiana

h. October 27, 2011, National Office, Indianapolis, Indiana

16. Adjournment.

MINUTES OF THE
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
DIVISION I BOARD OF DIRECTORS

National Office
Indianapolis, Indiana

August 6, 2009

Participants:

Michael F. Adams, University of Georgia, Southeastern Conference
Charles Bantz, Indiana University-Purdue University of Indianapolis, Summit League
James Barker, Clemson University, Atlantic Coast Conference (chair)
William Beauchamp, University of Portland, West Coast Conference
Jim Cofer, University of Louisiana at Monroe, Sun Belt Conference
Judy Genshaft, University of South Florida, Big East Conference
William R. Harvey, Hampton University, Mid-Eastern Athletic Conference
Robert Kustra, Boise State University, Western Athletic Conference
William Meehan, Jacksonville State University, Ohio Valley Conference
Ann Millner, Weber State University, Big Sky Conference
Harvey Perlman, University of Nebraska, Lincoln, 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
Edward Ray, Oregon State University, Pacific-10 Conference
S. David Berst, NCAA
Myles Brand, NCAA
Beth DeBauche, NCAA, recording secretary
Bernard Franklin, NCAA

[NOTE: Robert Bruininks, University of Minnesota, Big Ten Conference; Kevin Mullen, Siena College, Metro Atlantic Conference; and David Schmidly, University of New Mexico, Mountain West Conference were unable to attend.]

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 were in attendance.

NCAA staff members: Rachel Newman-Baker, Elsa Cole, Joni Comstock, Erik Christianson, Julie Cromer, Diane Dickman, Lynn Holzman, Brad Hostetter, Amy Huchthausen, Michelle Hosick, LuAnn Humphrey, Tom Jernstedt Kevin Lennon, Steve Mallonee, Delise O'Meally, Tom Paskus, Todd Petr, David Price, Wallace Renfro, Greg Shaheen, Mark Tschaggeny, Robert Vowels, and Charlotte Westerhaus.

[NOTE: Please refer to the report of the August 6, 2009, 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).]

The meeting was called to order at 8:05 a.m. on August 6, 2009, by the chair, President Barker. All were present as noted above.

1. Opening Remarks. Board of Directors chair, James Barker, welcomed the board members to the meeting, extending a special welcome to the following new board members: Jim Cofer, president of the University of Louisiana at Monroe, Sun Belt Conference; Judy Genshaft, president of the University of South Florida, Big East Conference; William Harvey, president of Hampton University, Mid-Eastern Athletic Conference; and William Meehan, president of Jacksonville State University, Ohio Valley Conference.

2. Report of the Division I Presidential Advisory Group (PAG). The Division I PAG chair, Ann Millner, provided an update from the group's August 3 conference call.

3. President's Report. NCAA President Myles Brand provided his quarterly report to the Board of Directors. President Brand focused on the special place of basketball in the NCAA and the need for a healthy basketball environment.

4. News Regarding a Men's Basketball Enforcement Initiative. David Price, NCAA vice president for enforcement, and LuAnn Humphrey, NCAA enforcement staff member, told the Board about a potential a shift in the interpretations process regarding the application of rules in the sport of men's basketball given concerns regarding the recruiting environment in that sport.

5. Update Regarding the New NABC Communications Plan. Jim Haney, executive director of the National Association of Basketball Coaches (NABC) and Paul Hewitt, head men's basketball coach at the Georgia Institute of Technology informed the Board regarding the NABC's new communications plan designed to foster improved understanding of the academic and athletic issues impacting men's basketball programs.

6. Final Report and Recommendations of the Men's Basketball Academic Enhancement Group. Dan Guerrero (chair), Walter Harrison, Paul Hewitt, and Jack Evans of the Men's

7. Basketball Academic Enhancement Group delivered the group's final report and recommendations.

8. Report from the Committee on Academic Performance. Walter Harrison, chair of the Committee on Academic Performance, informed the Board of the Committee on Academic Performance's recent activities. He was assisted by staff members Diane Dickman, Kevin Lennon and Todd Petr.

9. Division I Governance Structure Update.

   a. Report of the Division I Governance Substructure. Beth DeBauche, NCAA director of Division I, reported on the efforts of the Division I governance substructure to identify potential areas of cost savings.

   b. Report of the May 6, 2009 and May 11, 2009, Division I Leadership Council teleconferences. Damon Evans, chair of the Division I Leadership Council, reported briefly on the May 6, 2009 and May 11, 2009, Division I Leadership Council teleconferences.

   c. Report of the July 30, 2009, Division I Legislative Council. Joe D'Antonio, chair of the Division I Legislative Council, reported briefly on the July 30, 2009, Division I Legislative Council teleconference.

10. AFCA/NCAA Respect Weekend. The Board received an update on the AFCA/NCAA Respect Weekend from NCAA Vice President Robert Vowels. This initiative is an outgrowth of the RESPECT sportsmanship campaign.

11. Report of the Executive Committee. Elsa Cole, NCAA general counsel, and Rachel Newman-Baker, NCAA director of agent, gambling and amateurism activities, previewed the Executive Committee agenda item regarding the hosting of NCAA championships in locales that allow legalized sports wagering.

12. Litigation Update. Elsa Cole, NCAA general counsel, provided this report to the Board.

13. Adjournment. James Barker, the Board chair, adjourned the meeting at 12:40 p.m.

REPORT OF THE OCTOBER 28, 2009, MEETING OF THE DIVISION I PRESIDENTIAL ADVISORY GROUP

Participants:

Charles Bantz, Indiana University-Purdue University of Indianapolis
William Beauchamp, University of Portland
Robert Caret, Towson University
Greg Dell'Omo, Robert Morris University
Philip Dubois, University of North Carolina, Charlotte
Robert Fisher, Belmont University
Joanne Glasser, Bradley University
Milton Gordon, California State University, Fullerton
Buster Hagenbeck, United States Military Academy
Walter Harrison, University of Hartford
William Meehan, Jacksonville State University
Ann Millner, Weber State University (chair)
Kevin Mullen, Siena College
Kenneth Peacock, Appalachian State University
S. David Berst, NCAA
Jacqueline Campbell, NCAA, recording secretary

Presidential Advisory Group (PAG) members unable to participate in the meeting were: Drew Gilpin Faust, Harvard University; William Harvey, Hampton University; Penelope Kyle, Radford University; David Sweet, Youngstown State University; Randall Webb, Northwestern State University, and George Wright, Prairie View A&M University.

Also participating during portions of the meeting were NCAA staff members: Julie Cromer, Bernard Franklin, LuAnn Humphrey, Jim Isch, Kevin Lennon, Steve Mallonee, Delise O'Meally, Tom Packus, Todd Petr, David Price, Julie Roe, Niama Stevenson and Mark Tschaggeny.

1. **Opening remarks**. The chair welcomed the group and had each member introduce him-/herself. The group paused for a moment of silence in honor of former NCAA president Myles Brand.

2. **Report of the August 3, 2009, Division I Presidential Advisory Group conference call**. The group approved the report of its August 3, 2009, conference call, with a slight editorial revision to Item No. 3-d.

3. **Report from the Interim President.** Jim Isch, interim president of the NCAA, noted that he plans to continue to work on the agenda established by Myles Brand. He reported that the Association's focus will remain in the areas of academic reform, fiscal stability, student-athlete well-being and diversity and inclusion. Isch also updated the group regarding the search for a new NCAA president, noting that the Executive Committee is expected to select the members of the search committee during its October 29 meeting. Further, Isch informed the group of plans for the expansion of the national office, for which the group expressed its support.

4. **Revenue and Expense Data.** During its April meeting the group received a report on the Empirical Effects of Intercollegiate Athletics and requested additional data focusing more on FCS and Division I institutions. Todd Petr, director of research, presented the group with revenue and expense data applicable to FCS and Division I institutions. The group discussed the trends evidenced by the data, and noted the differences and similarities across the subdivisions.

5. **Review of the agenda for the October 29, 2009, Board of Directors meeting.**

   a. Legislative proposals related to the final report of the Men's Basketball Academic Enhancement Group. The Presidential Advisory Group reviewed the final report and the accompanying legislative proposals recommended by the Men's Basketball Academic Enhancement Group (BAEG). The group expressed concern regarding the proposals related to the summer athletic development-retention model and providing travel expenses for parents accompanying prospects on official visits. The group recommended that the Board of Directors not enter these proposals into the 2009-10 legislative cycle, but rather use them as a discussion topic at the Division I Forum during the January Convention in an effort to encourage all parties (coaches, faulty, commissioners and administrators) to seek consensus in initiatives that will enhance graduation rates. The group noted its support or sponsorship of the remaining proposals in this year's legislative cycle..

   b. Update regarding a new NCAA enforcement initiative. David Price, vice president of enforcement and LuAnn Humphrey, associate director of enforcement, presented the group with a proposed four-tier plan to address recurring issues in the men's basketball recruiting environment. The sense of the group was to support the recommendations in concept.

   c. Report from the Committee on Academic Performance meeting. The PAG received a report from the chair of the Committee on Academic Performance (CAP)

and staff liaisons on that group's October 26-27, 2009, meeting. As part of the update, the group received information regarding the annual release of Graduation Success Rate (GSR) and Federal Graduation Rate information, the development of a head coach's APR portfolio and a comprehensive study of academic support services. The chair also noted plans for a yearlong comprehensive review of the Academic Performance Program (APP) as well as a long-term analysis of the initial-eligibility standards.

d. **News from the Division I Governance Structure.**

(1) Status Report regarding the Division I Leadership Council's Review of Division I Membership Standards. The group was advised of ongoing discussions of the Leadership Council regarding Division I membership standards, noting that the final recommendations will come before the PAG and Board of Directors during April 2010.

(2) Update Regarding the Division I Legislative Council's Consideration of Legislation in the 2009-10 Cycle. The chair of the Legislative Council reported on the Council's recent meeting, noting the number of proposals in the legislative cycle this year. The chair shared with the group the FCS Governance Committee's positions on several proposals that will impact the FCS membership.

e. **2010 NCAA Convention Schedule and Updates.**

(1) Overview of the NCAA 2010 Convention Schedule and Updates. The group was encouraged to attend the 2010 NCAA Convention in Atlanta, GA and briefly reviewed a schedule of key events, set forth below:

Thursday, January 14

- Opening Business Session. (4 – 5:30 p.m.)
- Delegates Reception (5:30 – 7 p.m.)

Friday, January 15

- Division I Issues/Legislative Forum. (9:30 - 11:30 a.m.)
- BOD/Leadership Council/Legislative Council Luncheon. (11:30 a.m.–1 p.m.)
- Division I Issues/Legislative Forum. (cont.) (1 – 3 p.m.)

- Division I Business Session – At the conclusion of the Legislative Forum. [Note: Vote on the override of Proposal Nos. 2008-46 and 2008-59 will occur during the Division I Business Session.]
- Honors Celebration. (6-8 p.m.)

Saturday, January 17

- Joint SAAC/BOD breakfast. (8 – 9:30 a.m.)
- Board of Directors meeting. (9:30 a.m. – 5 p.m.)
- Executive Committee meeting. (5:30 – 8 p.m.)
- President's Reception. (7:30 – 9 p.m.)

(2) Review of Override Process**.** The group was informed that in July, the Legislative Council determined to sustain its previous adoption of Proposal Nos. 2008-46 and 2008-59. Further, in August the Board of Directors elected to take no further action. Accordingly, a vote of the active Division I membership will occur on January 15, 2010, during the Division I Business Session at the NCAA Convention. At least a five-eighths majority vote of individual active members present and voting shall be required to override the legislative action taken by the Board. The vote shall be based on the principle of one institution, one vote and the vote shall be taken by roll call.

6. **Review of Cost Savings Initiatives.** The group was reminded that during its April meeting, the Board of Directors charged the governance structure with reviewing bylaws to identify changes that could potentially result in cost savings for the membership. During its September meetings, the various cabinets began discussions of possible cost savings measures in their respective legislative areas. **The PAG reviewed a list of areas and bylaws identified by the cabinets as holding the potential for cost savings, and recommends that the Board consider appointing a membership group to coordinate and provide oversight of these reviews. Such a group also would be responsible to submit recommendations to the Board for action in the spring of 2010.**

7. **Future Meeting Dates and Times.** The next conference call of the group is scheduled for January 11, 2010, at 3 p.m. Eastern time. Group members are encouraged to send agenda topics to staff liaison Jackie Campbell (jgcampbell@ncaa.org).

Subcommittee chair: Ann Millner, Weber State University
Staff Liaisons: S. David Berst, Division I governance
Jacqueline Campbell, Division I governance

REPORT OF THE NCAA DIVISION I INFRACTIONS APPEALS COMMITTEE

***ACTION ITEMS*.**

1. Legislative Items.

- **Enforcement Policies and Procedures – Appeal Procedure – Notice of Intent to Appeal – Appeal by Involved Individuals.**

  (1) Recommendation. The NCAA Division I Infractions Appeals Committee requests approval by the NCAA Division I Board of Directors of a modification of NCAA Bylaw 32.10.1.2 to require individual appellants to disclose current or future employment at a member institution.

  (2) Effective Date. Immediate.

  (3) Rationale. Because committee members recuse themselves from cases which involve, among other things, persons employed by institutions in the same conference as the member's institution, this modification will help the committee discover whether there are any conflicts of interest in a given case. Individuals would be required to disclose on their notice of intent to appeal form whether they currently are employed at an NCAA membership institution. Additionally, the proposed change would obligate appealing individuals to notify the committee's liaisons if they become employed at an NCAA member institution during the course of the appeal process.

  (4) Estimated Budget Impact. None.

  (5) Student-athlete Impact. None.

2. Nonlegislative Items.

- **Approval of Modification of Infractions Appeals Committee's Policies and Procedures.**

(1) Recommendation. The Infractions Appeals Committee requests approval by the Board of Directors of a modification of the committee's policies and procedures to require individual appellants to disclose current or future employment at a member institution. The language of the modification would be:

> "f. In the case of an individual appellant, the notice of appeal must state whether that individual is then currently employed at an NCAA institution (regardless of the division of the institution). Further, if the individual's employment changes during the course of the appeal process (that is, from the time of the submission of the notice of appeal through the release of final Infractions Appeals Committee report), the individual must notify the Infractions Appeals Committee, through its liaisons, of that change, including the identity of the new employer."

(2) Rationale. Because committee members recuse themselves from cases which involve, among other things, persons employed by institutions in the same conference as the member's institution, this modification will help the committee discover whether there are any conflicts of interest in a given case. Individuals would be required to disclose on their notice of intent to appeal form whether they currently are employed at an NCAA membership institution. Additionally, the proposed change would obligate appealing individuals to notify the committee's liaisons if they become employed at an NCAA member institution during the course of the appeal process.

(3) Estimated Budget Impact. None.

(4) Student-athlete Impact. None.

INFORMATIONAL ITEMS.

- **Major Infractions Symposium Held at the 2009 Regional Rules Seminars.** The goal of the Major Infractions Symposium was to provide a broad overview of the infractions process – investigation through appeals. The symposium included three sessions which covered, respectively: (1) how to investigate a violation; (2) what to expect at NCAA Divisions I, II and III Committee on Infractions and Divisions I, II and III Infractions Appeals Committee hearings; and (3) insights from Committee on Infractions and Infractions Appeals Committee members. Approximately 400 persons attended the Symposium. The feedback from the attendees was very positive, and demonstrated that the addition of the Symposium and the Committee members' appearances were a helpful addition to the Regional Rules Seminars. A second Symposium is being planned for the 2010 Regional Rules Seminars.

Committee Chair: ***Christopher L. Griffin, Foley & Lardner LLP***
Staff Liaison(s): ***Wendy Walters, Membership and Student-Athlete Affairs***
LaMan Dantzler, Academic and Membership Affairs
Alex Smith, Academic and Membership Affairs

MINUTES OF

THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

DIVISION I ADMINISTRATION CABINET ADMINISTRATIVE COMMITTEE

Electronic Action October 8, 2009

Participants:

Rob Halvaks, Big West Conference
Dru Hancock, Big 12 Conference
Jay Jacobs, Auburn University
Tanya Rush, Morgan State University
Sharon Tufano, NCAA

The Administration Cabinet Administrative Committee took the following action:

Division I Committee on Infractions (Attachment). The Administrative Committee recommended that the Division I Board of Directors appoint Roscoe Howard Jr., attorney, Troutman Sanders, to serve as a public member of the Division I Committee on Infractions. Attached is Mr. Howard's resume. Also attached a letter of interest Joseph D. Swenson, attorney, who was also considered by the Administration Cabinet Administrative Committee.

2009-10 DIVISION I COMMITTEE ON INFRACTIONS

Legislated Requirements: Ten members, seven of whom shall be at present or previously on the staff of an active member institution or member conference of the Association, no more than three but no less than two of whom shall be from the general public and shall not be associated with a collegiate institution, conference, or professional or similar sports organization, or represent coaches or athletes in any capacity. One of the members shall serve as chair and one as vice-chair. Two positions shall be allocated for men, two for women and six unallocated. Two members shall be elected as the coordinators of appeals. 19.1.1.3

There shall be no subdivision restrictions except that all nonpublic members may not be from the same subdivision; however the coordinator of appeals shall not be considered in determining whether such a requirement is satisfied.

Appointed for three-year term. A member may be reappointed but shall not serve more than nine years on the committee, with the exception of the coordinator of appeals, which may be filled by a former member of the committee who had previously served nine years. (Three years must elapse before a former member can be appointed to fill the coordinator of appeals slot.)

Vacancies: **One immediate vacancy. Public member. Alfred Lechner resigned.**

Committee preference:

Staff Liaison: Shep Cooper, Jim Elworth

Chair: Paul Dee (9/08-9/10)

DIV.	GEN	EM	POS	NAME AND INSTITUTION	CONFERENCE	9/9-9/10	9/10-9/11	9/11-9/12
FBS	M	N	AD	Paul Dee University of Miami	Atlantic Coast Conference	Dee* (term 3)		
FBS	M	N	Comm	Britton Banowsky Conference USA	Conference USA	Banowsky (Term 1)	Banowsky (Term 1)	
FBS	M	N	Law Professor	Rodney Uphoff University of Missouri, Columbia (coordinator of appeals)	Big 12	Uphoff (term 1)	Uphoff (term 1)	Uphoff (term 1)
FBS	M	N	FAR	James O'Fallon University of Oregon	Pacific-10	O'Fallon (term 1)	O'Fallon (term 1)	O'Fallon (term 1)
FBS	F	N	Deputy Dir of Ath	Melissa Conboy University of Notre Dame	Big East	Conboy (term 1)	Conboy (term 1)	
DI	F	N	FAR	Eleanor Myers Temple University	Atlantic-10	(Myers) (term 1)	(Myers) (term 1)	(Myers) (term 1)
FCS	M	Y	Comm	Dennis Thomas Mid-Eastern Athletic Conference	Mid-Eastern Athletic	Thomas (term 2)	Thomas (term 2)	Thomas (term 2)
PUBLIC	M	N	Attorney	Brian Halloran (coordinator of appeals)		Halloran (term 3)	Halloran* (term 3)	
PUBLIC	**M**	**N**	**Attorney**	**Alfred Lechner Jr.**		**Lechner (term 3)**	**Lechner* (term 3)**	
PUBLIC	M	N	Attorney	John Black		Black (term 1)	Black (term 1)	

*Not eligible for reappointment. 8/10/09

ATTACHMENT A
SUPPLEMENT NO. 4
DI Board of Directors 10/09

TROUTMAN SANDERS

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Practice Areas

White Collar and Government Investigations
Complex Litigation
Foreign Corrupt Practices Act Counseling
Antitrust Law
White Collar Litigation

Representative Experience

- Served as lead counsel in an ERISA arbitration, representing a Michigan Trucking Company against a Union Pension Fund, over the assessment of withdrawal liability by the fund. The arbitration was held in the District of Columbia by agreement of the parties, but originated in the Northern District of Illinois.
- Represented a satellite company in litigation against a government contracts company in civil litigation over breach of contract in the U.S. District Court for the District of Maryland.
- Represented a Transportation Security Administration attorney in a contempt proceeding in the Eastern District of Virginia involving a terrorism prosecution by the Department of Justice.
- Conducted an internal investigation for the Seneca Nation of Indians in New York State involving the handling of contracts for the construction of their casino in Niagara Falls.
- Represented an engineer for a Fortune 500 Company's Design Division in the International Traffic in Arms Regulation investigation by the U.S. Attorney's Office for the Western District of Virginia into the sharing of classified arms designs with Southeast Asian governments.
- Represented the former General Counsel of a quasi-public city utility in an investigation by the Environment and Natural Resources Division of the Justice Department into the filing of allegedly false and fraudulent reports with the Environmental Protection Agency.
- Represented a member of the Special Inspector General for Iraq Reconstruction in an investigation by the President's Council on Integrity and Efficiency on conflict of interest allegations.

- Represented an attorney from the Department of Treasury in an investigation by the Inspector General into conflicts of Interest allegations.
- Represented the Chief-of-Staff for a United States Congressman in an investigation involving alleged conflict of interest, bribery and election fraud.
- Represented the lobbying group of one of the nation's largest utilities in the grand jury investigation of "influence peddling" by convicted lobbyist Jack Abramoff.
- Represented the owner of a Picasso painting accused of purchasing it as the art work stolen during war time occupation. The matter was the subject of litigation in the U.S. District Courts for the Central District of California and the Northern District of Illinois.
- Represented the Chief Executive Officer of a capital investment firm in an investigation conducted by the Securities and Exchange Commission's New York City office alleging fraud and conflict of interest.
- Serves as Counsel to the Board of Directors of the world's seventh largest charity. Handled RICO law suit on behalf of the charity involving the fraudulent taking and sale of $50 million worth of donated goods meant for Hurricane Katrina relief.
- Has tried over 100 cases to trial as a federal prosecutor and has handled matters in both federal court and the District of Columbia Superior Court.

Presentations and Speaking Engagements

- Panel Member, *Practical Ethics in the Workplace: Representation, Conflicts and the Privilege*, with Spencer Overton, Dolores Dorsainvil and Hannibal Kemerer, Maryland State Bar Association, Young Lawyers Section (April 22, 2009).

- Speaker, *Whether Fraud is Criminal or Civil is a Matter of Perception*, Criminalization of Corporate Conduct, Northwestern University School of Law Judicial Symposium, Chicago, Illinois (April 20, 2009).

- Panel Member, *Responding to Government Inquiries, Establishing an Effective Compliance and Ethics Program*, with Ron Minkoff, Steve Kimmelman, Anjali Chaturvedi, Association of Corporate Counsel 2009 Compliance Seminar, New York, New York (April 14, 2009).

- Panel Member, *Pros & Cons of Intellectual Property Case Development*, Intellectual Property Rights Enforcement, with the Honorable Ronald S.W. Lew, Mark N. Mutterperl and Andrea M. Sharrin, American Bar Association, 23rd Annual National Institute on White Collar Crime, San Francisco, CA (March 5, 2009).

- Speaker, *Sarbanes-Oxley & Corporate Compliance*, How to Survive a SOX Whistleblower Complaint, with Tanya Axenson Macallair and Dean A. Manson, ACC 2008 Annual Meeting, Seattle, WA (October 22, 2008).

- Speaker, *Best Practices: Working with the Government in IP Criminal Cases*, American Bar Association Second Annual National Institute on Criminal Enforcement of Intellectual Property Rights, San Francisco, CA (September 26, 2008).
- Speaker, *Impact of the Foreign Corrupt Practices Act (FCPA) on the Sale and Marketing of Drugs,* ACI 8th National Forum on Fraud and Abuse in the Sale and Marketing of Drugs, New York, NY (April 8, 2008).
- Speaker, *Foreign Corrupt Practices Act (FCPA) - DOJ & SEC Focus on China*, Atlas Legal, Fifth Annual Summit on Legal, Tax and Financial Strategies for Doing Business in China, New York, NY (December 13, 2007).
- Speaker, *Internal Investigations and Government Investigations: A Former Senior Federal Prosecutor's Perspective*, Southern Nuclear Operating Company Management Council Meeting, Lake Oconee, Georgia (November 9, 2007).
- Speaker, Complex Commercial Litigation – Smart Strategies for Hard Cases, *Responding to Government Investigations of Corporate Organizations*, Defense Research Institute, Phoenix, AZ (November 1, 2007).
- Speaker, *Foreign Corrupt Practices Act: Enforcement Issues for Pharmaceutical, Diagnostic and Medical Device Companies*, Abbott Laboratories 2007 Commercial Litigation Day*,* Chicago, Illinois (October 18, 2007).
- Panel Moderator, American Bar Association Inaugural National Institute on *Criminal Enforcement of Intellectual Property Rights*, Washington, D.C. (October 12, 2007).
- Speaker, *Preparing for Government Investigations*, Association of Corporate Counsel, Georgia Chapter, Atlanta, Georgia (October 9, 2007).
- Panel Member, *To Waiver or Not to Waive: A Word From Counsel Who Has Been On Both Sides*, International Association of Defense Counsel, Bermuda (July 11, 2007).
- Panel Member, *DOJ Corporate Crime Policies: Will the* "McNulty Memo" *Adequately Protect Civil Liberties?*, Washington Legal Foundation Media Nosh, Webcast, Washington, D.C. (January 17, 2007).
- Speaker, *Practical Strategies for Responding to Regulators: Why Cooperation is Key to Concurrent Criminal and Civil Proceedings, Kansas Association of Defense Counsel*, Kansas City, Kansas (December 2, 2006).
- Keynote Speaker, *Convicted, Executed, But Not Guilty? Examining the Risks of Wrongful Executions and the Role of Prosecutors, Defense Attorneys, Academia, and the Press*, Sixth Annual Access to Equal Justice Conference, Washington University in St. Louis School of Law, St. Louis, Missouri (November 17, 2006).
- Panel Member, *When Communicating is a Crime*, Media Law Conference: Protecting the First Amendment, sponsored by Media Law Resource Center, National Association of

Broadcasters, Newspaper Association of America, Alexandria, Virginia (September 29, 2006).

« Speaker, Student Legal Forum, University of Virginia School of Law, Charlottesville, Virginia (October 10, 2005).

« Dinner Speaker, 15th Anniversary Celebration, Canada-U.S. Fulbright Program, Ottawa, Canada (September 27, 2005).

« Lecturer, *Adjudicating Criminal Procedure*, George Washington University Law School (September 9, 2005).

« Speaker, *The Continuing Evolution of Sentencing,* National Association of Sentencing Commissions 2005 Conference, Washington, DC (August 8, 2005).

« Panel Member, *Federal Sentencing: It's Time for a Second Look*, Congressional Black Caucus' 34th Annual Legislative Conference, convened by Representative Robert Scott (D-Va.), Washington, D.C. (September 10, 2004).

« Panel Member, *Federal Sentencing in Flux: The Impact of* Blakely *on White Collar Criminal Enforcement*, Washington Legal Foundation Media Nosh, CNN Broadcast, Washington, D.C. (August 4, 2004).

« Panel Member, *Securing Our Future - Balancing Homeland Security with Corporate Prosperity*, CXO Executive Policy Forum 4, CXO Media Inc., Washington, D.C. (January 12, 2004).

« Panel Member, *Trial Teams of the 21st Century*, Defense Research Institute 2003 Annual Meeting, Washington, D.C. (October 17, 2003).

« Witness, *Identification Document Fraud and Implications for Homeland Security*, Testimony before the Select Committee on Homeland Security, United States House of Representatives, Washington, D.C. (October 1, 2003).

« Panel Member, *The Fight Against Terrorism: A Global Effort*, 8th Annual Conference and Meeting of the International Association of Prosecutors, Washington, D.C. (August 11, 2003).

« Panel Member, *A Critical Analysis of the Patriot Act*, National Bar Association's 78th Annual Convention, New Orleans, Louisiana (August 6, 2003).

« Panel Member, *A View from the Frontlines of the Criminal Justice System*, District of Columbia Bar, Criminal Law and Individual Rights Section, Washington, D.C. (July 17, 2003).

« Speaker, 2003 Judicial Conference, *Patriot Act I and II*, U.S. Court of Appeals for the Armed Forces, Catholic University of America, Columbus College of Law, Washington, D.C. (May 14, 2003).

« Panel Member, *Prosecuting White Collar Crime*, The College of William & Mary Bill of Rights Institute, The Marshall-Wythe School of Law, Williamsburg, Virginia (March 21, 2003).

- Keynote Speaker, *Prosecuting Cybercrime*, United States Secret Service Electronic Crimes Task Force, Washington, D.C. (February 11, 2003).
- Lead Panel Member, Nationally Broadcast Symposium on Laws for Narcotics Control in Thailand, Lower House of the Thai Parliament, Bangkok, Thailand (October 11, 2002).
- Panel Member, *Ethical Considerations in Corporate Fraud Investigations*, before the Corporate Fraud Task Force, Washington, D.C. (September 27, 2002).
- Panel Member, *Media and the Courts: Catch 22*, American Judicature Society and The Donald W. Reynolds National Center for the Courts and Media, Washington, D.C. (August 10, 2002).
- Panel Member, *Federal Enforcement 2002*, American Bar Association, Section of Litigation, Washington, D.C. (August 9, 2002).
- Panel Member, *A View from the Frontlines of the Criminal Justice System*, District of Columbia Bar, Criminal Law and Individual Rights Section, Washington, D.C. (July 16, 2002).
- Speaker, *Management of the Prosecutorial Function: Personnel Resources Management*, U.S. Department of Justice, Criminal Division, Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT), Bangkok and Chiangmai, Thailand (May 31, 2002 - June 9, 2002).
- Witness, *Federal Cocaine Sentencing Policy*, Testimony before the Subcommittee on Crime and Drugs Committee on the Judiciary, United States Senate, Washington D.C. (May 22, 2002).

Publications

- "Reasonable Doubt in a Nation of Immigrants", essay published in *Beyond a Reasonable Doubt*, edited by Larry King, Phoenix Books, 2006, at pp. 104-109.
- "A History of Miranda and Why It Remains Vital Today", co-authored with Lisa A. Rich, Vol. 40, No. 3 *Valparaiso University Law Review* 685 (2006).
- "The Must-Have Record: Board Meeting Minutes", co-authored with Mark E. Nagle and Christopher M. Loveland, Vol. 29, No. 2 *Directors & Boards Magazine* 52 (2005).
- "Changing the System from Within: An Essay Calling on More African-Americans to Consider Being Prosecutors" 6 *Widener Law Symposium Journal* 139 (2000).
- "Wearing a Bull's Eye: Observations on the Differences Between Prosecuting for a United States Attorney's Office and an Office of Independent Counsel" 29 *Stetson Law Review* 95 (1999).
- "Getting it Wrong: Hopwood v. The State of Texas and its Implications for Racial Diversity in Legal Education and Practice" 31 The New England Law Review 831 (1997).
- "Vernonia School District 47J v. Acton: The Right Response for Drug Testing of Student Athletes" 6 The Kansas Journal of Law & Public Policy 17 (Winter 1997).

- "The Defunding of the Post Conviction Defense Organizations as a Denial of the Right to Counsel" 98 West Virginia Law Review 863 (1996).
- "The Media, Attorneys and Fair Criminal Trials" 4 The Kansas Journal of Law & Public Policy 61 (Spring 1995).

Published Lectures

- "White Collar Investigations & The RICO Statute, International Workshop on Criminal Law Reform", p. 307; *Beyaz Yaka Suçari ve Rico Yasasi* [Prof. Roscoe C. Howard 'in Tebliğinin Tercümesi], p. 323, Ceza Hukuku Reformu [Criminal Law Reform], Sempozyum, 20-23 Eskim 1999, Taksim Park Plaza Oteli, Taksim, Umut Vakfi Yayinlari [Istanbul 2001].
- "*Kumho Tire v. Carmichael - Facts and Background*" 9 *The Kansas Journal of Law & Public Policy* 134 (Fall 1999).

Bar and Court Admissions

Virginia (1977)
District of Columbia (1978)
Supreme Court of Virginia
U.S. Court of Appeals for the District of Columbia
U.S. District Court, District of Columbia
U.S. District Court, Eastern District of Virginia
District of Columbia Court of Appeals
U.S. Court of Appeals for the Fourth Circuit

Bar Activities and Legal Associations

Member of the Board of Directors, Canada-U.S. Fulbright Program (2005-present)
    Member of the Audit Committee
    Chairman of the Communications Committee
Member of the Virginia Bar Association Jury Task Force (2005-present)
Member of the Board of Directors, Roger Williams University School of Law (2005-present)
Member of the Editorial Board of the National Law Journal (2004-present)
Member of the Attorney General's Advisory Committee (2001-2004)
Chair, University of Kansas Committee charged with investigating the Academic Integrity of Varsity Sports and the Athletics Department at the University (2000-2001)
Member of the Evidence Section, The Association of American Law Schools
    Executive Committee (2001)
    Advisory Board (1996-1999)
Secretary, Lawrence Public Library Foundation Board, Lawrence, KS (1997, 1998-2001)
Faculty, Kansas Bar and Law School Bar Review Course (1994-2001)
Board of Trustees, Culver Educational Foundation, Culver, Indiana (1989-1997)
Member, Kansas Bar Association Task Force on Criminal Justice Funding (1995-1996)
Vice President, Culver Military Academy Alumni Legion Board, Culver, Indiana (1978-1982)

Honors and Other Distinctions

- Recognized in Washingtonian best*, Washingtonian Magazine*, Top 800 Lawyers, December 2007.
- Recognized in *Washington D.C. Super Lawyers*, Criminal Defense: White Collar in 2007.
- Recognized in *The Best Lawyers in America* in Criminal Defense in 2006.
- Named as one of Washington's "Top Lawyers", *Washingtonian Magazine* (December, 2004).
- Honored as one of America's Top Black Lawyers, *Black Enterprise Magazine* (November, 2003 Edition).
- Honorary Doctor of Laws Recipient and Commencement Speaker, Roger Williams University, Ralph R. Papitto School of Law, Bristol, Rhode Island (May, 2003).
- Recipient, Culver Man of the Year Award, Culver Military Academy, Culver, Indiana (May, 2003).
- Hooder, University of Kansas Law School, 127th University of Kansas Commencement, Lawrence, Kansas (May, 1999).
- Recipient of the Frederick J. Moreau Award, University of Kansas School of Law (Spring, 1996).
- Honorary Member, Culver Chapter of the *Cum Laude* Society.
- Recipient, Federal Bureau of Investigation Award of Appreciation for Exceptional Service in the Public Interest, April, 1991, William S. Sessions, Director.
- Recipient of a Special Achievement Award for Sustained Superior Performance, The United States Department of Justice, United States Attorney's Office for the Eastern District of Virginia, Richmond Division (Fiscal Year 1990)

Education

University of Virginia School of Law (J.D., 1977)
Brown University (A.B., 1974)
Culver Military Academy, Culver, Indiana (1970)

Professional Experience

Partner,

Troutman Sanders LLP, 2005-present
Sheppard, Mullin, Richter & Hampton LLP, 2004-2005

United States Attorney for the District of Columbia, 2001-2004

Professor of Law, University of Kansas School of Law, 1999-2001

Associate Professor of Law, University of Kansas School of Law, Lawrence, KS, 1994-1999

Associate Independent Counsel,

Office of Independent Counsel, In Re Secretary of Agriculture A. Michael Espy
(The Honorable Donald C. Smaltz), Alexandria, Virginia, 1997-1998

Office of Independent Counsel, In Re Secretary of H.U.D. Samuel R. Pierce
(The Honorable Arlin M. Adams), Washington, D.C., 1991-1994

Assistant United States Attorney,

United States Attorney's Office for the Eastern District of Virginia,
Richmond Division, 1989-1991
Alexandria Division, 1987-1989

United States Attorney's Office for the District of Columbia, 1984-1987

Staff Attorney, Federal Trade Commission, Bureau of Competition,
Washington, D.C., 1981-1984

Associate, Crowell & Moring, Washington, D.C., 1979-1981

Associate, Jones, Day, Reavis & Pogue, Washington, D.C., 1978-1979

Law Clerk to the Honorable Raymond L. Finch, Territorial Court of the Virgin Islands,
Christiansted, St. Croix, U.S. Virgin Islands, 1977-1978

Summer Associate, Brown, Wood, Ivey, Mitchell & Petty, New York City, 1976

ATTACHMENT C
SUPPLEMENT NO. 4
DI Board of Directors 10/09

JOSEPH D. SWENSON
ATTORNEY
6998 BASELINE ROAD
TELEPHONE (303) 499-8000 BOULDER, COLORADO 80303 FACSIMILE (303) 499-8001

March 21, 2011

Shepard C. Cooper
Director, NCAA Committee on Infractions
PO Box 6222
Indianapolis, IN 46206-6222

Dear Mr. Cooper,

I respectfully submit my candidacy for a position as a public member on the NCAA Committee on Infractions. I am available for a telephone or personal interview at anytime, but I want to present my background and qualifications for your consideration. In addition, I want to describe how college athletics specifically, and amateur athletics generally have played such an important role in my life. I value the contributions that collegiate athletics make to the educational experience.

I am a 1980 graduate of Princeton University. I was Captain of the Track Team winning The Ivy League Championships in 1980. I anchored the ICAAAA Championship Two-Mile Relay and competed in the NCAA Indoor Championships as well as in National and International Competitions. Having attended Catholic schools on Long Island, NY, athletics provided me the opportunity to attend Princeton. In spite of the significant cost, I turned down scholarship offers from other colleges to pursue an education first and foremost. Competing at the Varsity level as a freshman forced me to balance academics, athletics and work/study employment. The demands were great, but the experience was invaluable. I traveled throughout the U.S. and overseas, exposing me to new athletic and cultural experiences. The relationships developed amongst teammates and competitors continue to this day.

My provincial upbringing was immediately broadened upon exposure to brilliant professors and fellow students. I developed a critical mind, realizing there are always two sides to a story. I also faced great challenges: injuries and athletic/academic conflicts. I learned that anything is possible with hard work and determination. Turning failure and frustration into action was the solution to most challenges, quitting was not an option. These lessons carry forward to my career, marriage and raising a family.

My senior thesis titled “Foreign Athletes in the NCAA” addressed issues the NCAA, member institutions and American Society faced with the influx of foreign athletes, especially in Track and Field in the 1970’s. Those issues included age disparities, professionalism and fairness. In the mid-70’s, the NCAA had cut back the number of track scholarships. Therefore, many coaches sought out seasoned, mature athletes who could contribute to their programs immediately. Recruited foreign

athletes were generally older, often with years of international experience. That influx changed the nature of NCAA Track and Field.

The U.S. athlete was initially at a disadvantage on the track, but the bar was raised for all competitors. American athletes were challenged to compete at a higher level. The cultural diversity of foreign athletes was another benefit of this new aspect of recruitment. From the foreign athlete's perspective, attending college in the U.S. was a privileged educational opportunity. In spite of language and cultural differences, the foreign athlete generally excelled in their academic pursuits. Balancing these competing interests, the NCAA rather swiftly implemented a rule change, which limited eligibility to all students that had competed in organized competition beyond their 23rd birthday. Any year of competition beyond age 23 counted as a year of collegiate eligibility. The level of competition had been raised, cultural diversity promoted yet there were no longer 27-year-old Olympians competing as freshman in the NCAA.

Following stints in NYC with IBM and Boston with American Express, I attended The University of Colorado Law School, graduating in 1990. While at CU, I worked at the US Attorneys Office, Criminal Division in Denver. Admitted to the Colorado Bar in 1990, I started a Trial Practice in Denver and Boulder. While working in both civil and criminal matters, my emphasis has been on criminal law. My practice exposes me to the less fortunate in our society, but I am driven by a zeal for equal opportunity for all. I consider myself very privileged with my opportunities. Through hard work and perseverance, I have benefited from those opportunities. I try to provide my clients with an opportunity to improve their situation in life (level the field of play, so to speak).

Athletics played a pivotal role in my collegiate career and that interest continues. After college, I continued to compete in track, road races and triathlons. I am a USATF Certified Official and officiated at CU and BIG 12 meets for several years. I currently coach Gold Crown and AAU Youth Basketball (Boys and Girls) and have coached at High School and Collegiate Camps. I have also coached youth soccer, baseball, golf and hockey. I taught skiing while attending Law School and for several years beyond. As a collegiate sports fan, I attend countless football, basketball, track and golf competitions, including NCAA Championships for Basketball and Baseball.

In addition, I enjoy fishing, skiing and I am a part-time professional photographer. My wife, Cyndy and I, have two children; Zach, 14 and Elle Joe, 12.

My desire to serve on the NCAA Committee on Infractions has its roots in my strong belief in amateur athletics. The title Student-Athlete is more than a term of art. The Student-Athlete is the centerpiece of the NCAA. Numerous forces work to steal the purity of sport from Collegiate Athletics and even Youth Athletics. Maintaining a level field of play is critical to Collegiate Athletics. At Princeton I was exposed to a great model for fair competition. As a non-scholarship institution, the emphasis was on the student first, athlete second. Based upon my own experiences and those of teammates and classmates, I learned that one could be successful as both a student and an athlete. The challenge is maintaining balance in an environment where both are nurtured. I feel member institutions have a

great obligation to nurture the student, while holding the student athlete accountable for their actions on and off the field of play. Success in the classroom best prepares any athlete for the future beyond. While most athletes dream of competing at “the next level”, the reality for all but a fraction is “their next level” is lunchtime pick-up games or weekend warrior touch-football. The NCAA’s slogan, “most of us will go pro in something other than our sport” is so accurate, yet not adequately taught to student athletes. Athletics is part of the educational process, while the classroom builds for the future.

Sincerely,
Joe Swenson

JOSEPH D. SWENSON, ESQ.
6998 Baseline Road, Boulder, CO 80303
Telephone 303-499-8000
Fax 303-499-8001
Email: Joe.Swenson@mac.com

OBJECTIVE

Secure a Public Position on the NCAA Division I Committee on Infractions.

PROFESSIONAL EXPERIENCE

- **Criminal Defense Attorney** **1990-2009**
  Practice experience includes drug and alcohol offenses, felony assault and domestic violence, white collar crime, and homicide. Administrative law proceedings including University of Colorado Judicial Affairs and Student Conduct Committees.
- **Marketing and Account Manager** **1981-1986**
  Positions at IBM, American Express, EMC2, and Maritz Corporation in New York City and Boston, MA.
- **Princeton University** **1976-1980**
  Admissions Office, Women's JV Tennis Coach, Food Services and Home Athletic Event Support.

EDUCATIONAL BACKGROUND

- **University of Colorado School of Law** **1987-1990**
  Juris Doctorate, 1990
  Colorado Bar 1990, Federal Bar 1991
- **Princeton University** **1976-1980**
  Bachelor of Arts, American History, 1980
- **Chaminade High School**, Mineola, NY **1972-1976**

ATHLETIC ACCOMPLISHMENTS

- **Princeton Varsity Track 1977-1980**
- **Captain Princeton Track Team, 1979-80**
- **All-East 1979, 1980**
- **All-Ivy 1977, 1978, 1979, 1980**
- **NCAA Championship Competitor 1979, Two Mile Relay**
- **Chaminade HS, Eastern States Champion, AAU Junior Nationals, 1976**

VOLUNTEER ACTIVITY

- **Youth Sports Coach** **1999-2009**
  Boys and Girls competitive and recreational basketball teams associated with Gold Crown Foundation, Team Boulder and Boulder Valley YMCA. Baseball, Little League and Triple Crown Sports. Soccer and Hockey, YMCA.
  University of Colorado and Princeton University Summer Basketball Camps.
- **USA Track and Field Certified Official**
  University of Colorado Track and Field Official

PERSONAL INTERESTS

- **Owner Colorado Sport Shots Photography**
- **Fishing, Skiing, Biking and Golf**
- **Married, two children 14 and 12 years**

Implementation Plan for Recommendations from Basketball Focus Group and Academic and Membership Affairs Staffs on Solutions to Current Issues in Men's Basketball Recruiting [Summary]

Tier I: Recommendation that the NCAA Board of Directors take immediate action - All items to be effective immediately upon adoption.

1. Approve a new interpretations process through revisions to NCAA Constitution 5.4 that provides clear direction to the membership on what constitutes a violation of NCAA rules related to men's basketball recruiting. The process will identify automatic violations of NCAA recruiting rules without the opportunity to appeal to the NCAA academic and membership affairs staff or the NCAA Division I Legislative Review and Interpretations Committee for interpretive relief. Instead, an institution may present information to the NCAA enforcement staff to assist in determining the classification of the violation (i.e., secondary or major), with the opportunity to appeal consistent with the existing appeals process available through the enforcement process. In warranted circumstances, an institution may be granted a waiver by the NCAA Division I Legislative Council Subcommittee for Legislative Relief (SLR) pursuant to the applicable policies and procedures.

2. Approve the following interpretations to apply in the sport of men's basketball:

   a. The definition of an "individual associated with a prospect" is any person who maintains (or directs others to maintain) contact with the prospective student-athlete, the prospective student-athlete's relatives or legal guardians, or coaches at any point during the prospective student-athlete's participation in basketball, and whose contact is directly or indirectly related to the prospective student-athlete's:

      (1) Athletic skills and abilities; or

      (2) Recruitment by or enrollment in an NCAA institution.

      This definition includes, but is not limited to, parents, legal guardians, handlers, personal trainers and coaches. An individual who meets the definition of an individual associated with a prospect retains that status during the enrollment of that prospect at that institution.

   b. A violation of NCAA Bylaws 13.2.1 and 13.12.2.2-(b) would occur if an institution or men's basketball staff member employs (i.e., volunteer or paid) an individual associated with a recruited prospective student-athlete at the institution's or men's basketball staff member's camp or clinic. [Note: The proposed legislation in Tier III-2 also addresses camp/clinic employment issues.]

   c. A violation of Bylaws 13.11 and 13.12 would occur if an institutional or men's basketball staff member's basketball camp offers a different participation,

registration procedure, fee structure, advertisement and/or logistical experience (e.g., lodging, meals, transportation or awards/mementos) than the other men's/boys' basketball camps operated by the institution or men's basketball staff. [Note: The proposed legislation in Tier III-3 also addresses camp operation issues.]

d. A violation of Bylaws 13.2.1 and/or 13.15.1 would occur if an institution or a men's basketball staff member provides money to a nonprofit foundation that expends funds for the benefit of a nonscholastic team, prospective student-athlete(s) or an individual associated with a prospective student-athlete. [Note: A violation would occur even if the foundation provides funding to or services for both prospective student-athletes and individuals younger than prospect age.]

e. A violation of Bylaw 13.2.1 would occur if an institution or a men's basketball staff member provides a consulting fee to an individual associated with a prospective student-athlete or to a consulting firm in which an individual associated with a prospective student-athlete has a proprietary or financial interest.

f. A violation of Bylaw 13.2.1 would occur if a men's basketball staff member places a telephone call to a 1-900 number connected to a prospect or an individual associated with a prospect.

g. A violation of Bylaws 13.15.1 (and potentially 13.11.1) would occur if a men’s basketball staff member or a representative of the institution's athletics interests is involved in any way in the operation or planning of a men's basketball nonscholastic event on its campus. [Note: The proposed legislation in Tier III-4 also addresses nonscholastic men's basketball events on campus.]

[Note: Contracts signed by boosters before October 29, 2009, may be honored.]

3. Endorse and strongly encourage the use of suspensions of a head men's basketball and/or assistant men's basketball coach by the enforcement staff, in the case of secondary infractions, or the NCAA Division I Committee on Infractions, in the case of secondary or major infractions, from coaching in NCAA tournament games or regular season games for violations of the following:

a. The employment of individuals associated with prospective student-athletes in athletics department noncoaching staff positions. [Tier III-1]

b. The employment of individuals associated with recruited prospective student-athletes at men's basketball camps and clinics. [Tier I-2-b, Tier II and/or Tier III-2]

c. The operation of men's basketball camps in violation of NCAA legislation. [Tier I-2-c and/or Tier III-3]

d. The subscription to a recruiting service that does not meet the requirements of NCAA legislation. [Tier I-6]

e. A donation to a nonprofit foundation that expends funds for the benefit of a nonscholastic team, specific prospective student-athlete(s) or an individual associated with a prospective student-athlete (suspension applicable to the head coach and any involved coach). [Tier I-2-d]

f. The payment of a consultant fee to an individual associated with a prospective student-athlete or to a consulting firm in which an individual associated with a prospective student-athlete has a proprietary or financial interest. [Tier I-2-e]

g. The provision of event tickets to individuals associated with a prospective student-athlete in violation of NCAA legislation (suspension applicable to the head coach and any involved coach). [Note: Complimentary tickets provided via pass list in compliance with existing legislation remains permissible.]

h. The involvement of a men's basketball staff member in the planning, funding or operation of nonscholastic events (suspension applicable to the head coach and any involved coach). [Tier I-2-g and/or Tier III-4]

Unless otherwise noted, the coaching suspension will impact only the head coach of the involved program. This penalty would "follow the coach" if he decides to take a job at a different institution from the one at which the violation occurred. In most cases, the penalty will be in addition to any other penalties imposed through the enforcement process; however, the enforcement staff, in the case of secondary infractions, and Division I Committee on Infractions, in the case of secondary or major infractions, have the discretion to forgive the penalty (e.g., If a show cause order is levied, it may not be necessary to suspend the coach from the NCAA championship tournament). Bylaws 19.5.2 and 19.5.2.2 currently allow for the suspension of coaches from competition as a disciplinary measure for secondary and major violations. The enforcement process also provides an appellate opportunity to institutions and coaches desiring to appeal this penalty.

4. Endorse and strongly encourage that the NCAA Student-Athlete Reinstatement Committee apply the following presumptions in reinstatement decisions:

   a. Permanent ineligibility for competition at the offending institution for a men's basketball student-athlete if:

      (1) During a two-year period prior or subsequent to the anticipated or actual enrollment of the involved prospective student-athlete, the institution employs an individual associated with the involved prospect in any athletics department noncoaching staff position. [Tier III-1]

      (2) An institution or men's basketball staff member pays consulting fees to an individual associated with a prospective student-athlete or to a consulting firm in which an individual associated with a prospective student-athlete has a proprietary or financial interest. [Tier I-2-e]

      If a student-athlete is deemed to be permanently ineligible pursuant to 4a-(1) or 4a-(2) above, and the student-athlete wants to transfer and participate at another Division I institution, the student-athlete's new institution may submit a SLR waiver for immediate relief from the transfer year in residence.

   b. Eligibility consequences and notice requirements for violations in the men's basketball program involving:

      (1) Camp employment [Tier I-2-b, Tier II and/or Tier III-2];

      (2) Camp operation [Tier I-2-c and/or Tier III-3]; or

      (3) Men's basketball staff involvement in the operation of nonscholastic events. [Tier I-2-g and/or Tier III-4]

      In the event that any of these violations occur, the institution will be required to declare all involved prospects ineligible at that institution and provide written notification and explanation to all such prospects that the actions of the institution affected the eligibility consequences for the prospect.

5. Require men's basketball staff members on an annual basis to affirmatively state in writing that:

   a. No personal or institutional funds have been donated or solicited by the staff member on behalf of a nonprofit foundation that expends funds for the benefit of

a nonscholastic team, prospective student-athlete(s) or an individual associated with a prospective student-athlete [Tier I-2-d]; and

b. No event tickets, including the staff member's discretionary tickets, have been provided to an individual associated with a prospect in violation of the NCAA legislation. [Note: Complimentary tickets provided via pass list in compliance with existing legislation remains permissible.]

These written affirmations may be included with the staff member's completion of the form required per Bylaw 30.3.5 (Report of NCAA Violation Involving Institution).

6. Recommend support for the current legislative proposal (2009-56) sponsored by the NCAA Division I Men's Basketball Issues Committee and NCAA Division I Championships/Sports Management Cabinet to further define permissible recruiting/scouting services.

Tier II: Recommendation that the Board of Directors adopt emergency legislation effective immediately upon adoption.

Definition of recruited prospective student-athlete. Sponsor and adopt a legislative proposal to specify that in the sport of men's basketball, for the purposes of NCAA camps and clinics legislation, a "recruited prospective student-athlete" is defined as an individual whose attendance at any institutional camp or enrollment at the institution has been solicited by the institution (or a representative of athletics interests). Further, in men's basketball, an individual who has been sent any recruiting materials, had any recruiting contact (in person or via electronic means) with men's basketball staff members (including contact initiated by the prospective student-athlete), has received a verbal offer of athletics aid, has verbally committed to an institution and/or whose activities meet the current definition of "recruited" in Bylaw 13.02.12.1 would be considered a recruited prospective student-athlete. [Note: This legislative action is necessary based on the adoption of Tier I-2-b.]

Tier III: Recommendation that the Board of Directors sponsor legislative proposals to be introduced in the 2009-10 legislative cycle with an immediate effective date upon adoption.

1. Noncoaching staff hiring practices. Sponsor a legislative proposal to specify that during a two-year period prior or subsequent to the anticipated or actual enrollment of a prospective student-athlete, an institution may not employ an individual associated with the prospective student-athlete in any athletics department noncoaching staff position. [Note: Under this proposal, an institution may choose to make the hire or secure the enrollment of the prospect, but both may not occur.]

[Note: Contracts signed before October 29, 2009, may be honored.]

2. Men's basketball camp/clinic employment. Sponsor a legislative proposal to specify that an institution or a men's basketball staff member may hire only enrolled students and/or institutional staff members at its men's basketball camps or clinics.

3. Institutional camp operation. Sponsor a legislative proposal to specify that:

   a. It is permissible for men's basketball coaches to recruit during a men's basketball camp.

   b. A prospective student-athlete does not have to leave the locale of the camp before beginning an unofficial visit.

4. Nonscholastic events on campus. Sponsor a legislative proposal to specify that a Division I institution is precluded from hosting, sponsoring or conducting a men's basketball nonscholastic event in its campus facilities or facilities used regularly by the institution for practice and/or competition.

   [Note: Contracts signed before October 29, 2009, may be honored.]

Tier IV: Recommendation that the Board of Directors refer the following items to the governance structure for discussion with instructions to report recommendations to the Board of Directors at the August 2010 meeting. [Note: This option also may include the sponsorship of legislative proposals by the appropriate governance entities for the 2010-11 legislative cycle.]

1. A complete review of the current Division I men's basketball recruiting calendar (NCAA Recruiting and Athletics Personnel Issues Cabinet and NCAA Division I Men's Basketball Issues Committee).

2. Review the merits of permitting tryouts of men's basketball prospective student-athletes starting in their junior year (Recruiting and Athletics Personnel Issues Cabinet and Men's Basketball Issues Committee).

3. Determine whether the provision of travel expenses to men's basketball prospective student-athletes by individuals associated with the prospective student-athlete (other than parents or legal guardians) should be impermissible (NCAA Division I Amateurism Cabinet and Men's Basketball Issues Committee).

4. Review and evaluate existing rules related to recruiting communication in all sports (Recruiting and Athletics Personnel Issues Cabinet and Men's Basketball Issues Committee).

5. Review the merits of impacting a prospective or enrolled student-athlete's eligibility by the refusal of an individual associated with a prospective or enrolled student-athlete to furnish information or the provision of false or misleading information in response to an inquiry by the NCAA. The discussion may include a legislative proposal to amend Bylaws 14 and 19.01.3 to specify that full cooperation by an individual associated with a prospect is a condition of eligibility (Committee on Infractions and NCAA Division I Student-Athlete Reinstatement Committee).

ATTACHMENT
SUPPLEMENT NO. 5
DI Board of Directors 10/09

Summary of the Implementation Plan
Men's Basketball Proposals

Tier I – Immediate Action

1. Endorse a new interpretations process for violations in men's basketball recruiting.

2. Approve interpretations applicable to men's basketball regarding:

    a. Definition of an "individual associated with a prospective student-athlete."
    b. Men's basketball camp/clinic employment.
    c. Operation of men's basketball camps.
    d. Donations to nonprofit foundations.
    e. Payment of consulting fees.
    f. Use of 1-900 numbers.
    g. Men's basketball staff or booster involvement in nonscholastic events on campus. [Note: Contracts signed before October 29, 2009, may be honored.]

3. Endorse the use of head coach/men's basketball staff suspensions for violations involving:

    a. Athletics department noncoaching staff employment.
    b. Men's basketball camp/clinic employment.
    c. Operation of men's basketball camps.
    d. Recruiting services.
    e. Donations to nonprofits.
    f. Payment of consulting fees.
    g. Provision of event tickets beyond pass list.
    h. Men's basketball staff involvement in nonscholastic events.

4. Endorse presumptive eligibility consequences resulting in:

    a. Permanent ineligibility for violations in men's basketball involving:

        (1) Athletics department noncoaching staff employment.
        (2) Payment of consulting fees.

    b. Notice requirements for violations in men's basketball involving:

        (1) Men's basketball camp/clinic employment.
        (2) Operation of men's basketball camps.
        (3) Men's basketball staff involvement in nonscholastic events.

5. Require annual disclosure by men's basketball staff:

    a. Donations to nonprofits.
    b. Provision of event tickets beyond pass list.

6. Endorse and recommend support for Proposal 2009-56 relating to recruiting services.

Tier II – Sponsor Legislation as Emergency Legislation

Adopt the definition of a "recruited prospective student-athlete" for purposes of NCAA camps and clinic legislation.

Tier III – Sponsor Legislation for 2009-10 Legislative Cycle

Sponsor and introduce the following legislation:

1. An individual associated with a prospect may not be hired for athletics department noncoaching staff positions two years prior to or two years after enrollment of the involved prospective student-athlete. [Note: An institution may choose to make the hire or secure the enrollment of the prospect, but both may not occur.]

    [Note: Contracts signed before October 29, 2009, may be honored.]

2. Only institutional staff and enrolled students may be employed at men's basketball camps/clinics.

3. Men's basketball camp operations:

    a. Permissible to recruit during camp.
    b. Prospect does not have to leave locale for unofficial visit.

4. No nonscholastic men's basketball events on a Division I campus.

    [Note: Contracts signed before October 29, 2009, may be honored.]

Tier IV – Referrals to Governance Structure

1. Recruiting calendar for men's basketball (NCAA Recruiting and Athletics Personnel Issues Cabinet and NCAA Men's Basketball Issues Committee).

2. Tryouts during junior year (Recruiting and Athletics Personnel Issues Cabinet and Men's Basketball Issues Committee).

3. Travel expenses paid by individuals associated with prospects (NCAA Division I Amateurism Cabinet and Men's Basketball Issues Committee).

4. Recruiting communications (Recruiting and Athletics Personnel Issues Cabinet and Men's Basketball Issues Committee).

5. Refusal to cooperate by individuals associated with prospects (NCAA Committee on Infractions and the NCAA Division I Student-Athlete Reinstatement Committee).

Proposal 2009-XX

Intent: In bowl subdivision football, to permit an institution that has a final winning percentage of .500 or better to be selected for participation in a bowl game.

Administrative: Amend 30.9.2 page 354, as follows:

[Federated Provision, FBS Only]

30.9.2 Contest Status. A contest shall be licensed only if it serves the purpose of providing a national contest between deserving ~~winning~~ teams. A "deserving ~~winning~~ team" shall be defined as one that has ~~won~~ *a number of wins equal to or greater than its number of losses against bowl subdivision opponents.* ~~a minimum of six games against Football Bowl Subdivision opponents and that has more wins than losses.~~ ~~Tie games do not count in determining a team's won-lost record.~~ Further, when forfeiture of a regular-season football victory is required by the Committee on Infractions, a conference or self-imposed by an institution as a result of a violation of NCAA rules, neither of the competing institutions may count that contest in satisfying the definition of a "deserving ~~winning~~ team."

~~30.9.2.1 Exception -- 12 Game Season. An institution with a record of six wins and six losses may be selected for participation in a bowl game.~~ ~~*under the following circumstances:*~~

~~*(a) The institution or its conference has a primary contractual affiliation, which existed prior to the first contest of the applicable season, with the sponsoring bowl organization. In the case of a conference contractual affiliation, all conference teams with winning records must be placed in one of the contracted bowl games before any institution with a record of six wins and six losses may be placed in a contracted bowl game. There shall be no contingency agreements with other sponsoring bowl organizations intended to enable an institution with a record of six wins and six losses to become eligible for those contests; or*~~

~~(b) All contractual affiliations per Bylaw 30.9.2.1-(a) have been fulfilled and all institutions with winning records have received bowl invitations (either through a contractual affiliation or as an at-large selection).~~

[30.9.2.2 through 30.9.2.3 renumbered as 30.9.2.1 through 30.9.2.2]

Source: Board of Directors

Effective Date: August 1, 2010

Proposal Category: Amendment

Topical Area: Administrative Regulations

Rationale: Since the inception in 2006 of the concept that a six win and six loss team could be selected for participation in a bowl game, it has become clear that the definition of a “deserving team” is more than just having a winning record. Each year a myriad of factors could contribute to substantiate an argument as to why a team with a six win and six loss record is “more deserving” of a particular bowl bid than a team with a winning record. This proposal clarifies and simplifies the conditions that make a team bowl eligible. Additionally, the proposal allows for greater flexibility by allowing the marketplace to play a more significant role in determining what defines a deserving team.

Estimated Budget Impact: May have impact on an institution whose team qualifies under this proposal and participates in a bowl game.

Impact on Student-Athlete's Time: May have impact on student-athletes that play for teams with a 6-6 record.

Five-Year Trends in Division I Athletics Finances

NCAA Division I Board of Directors

October 2009

NCAA Research

Data

- The data used here were collected from the NCAA Financial Reporting System for fiscal years 2003-04 through 2007-08.

- Significant changes were made to the process beginning with the data collection in 2003-04 (e.g. definitional changes, agreed-upon procedures, etc.), so previous data are not comparable.

- It is important to note that these data were collected just as the current economic downturn was beginning. Therefore, they are not likely to reflect outcomes related to the downturn.

- When the data are divided into quartiles for this presentation, those quartiles are based on 2008 total expenses within each subdivision.

NCAA Research

Generated Revenue Sources

- Ticket Sales
- NCAA and Conference Distribution
- Contributions from alumni and others
- Other
  - Guarantees and Options
  - Third Party Support
  - Concessions
  - Broadcast Rights
  - Royalties / Advertising / Sponsorship
  - Sports camps
  - Endowment / Investment Income

NCAA Research

Allocated Revenue Sources

- Allocated Support
  - Student activity fees
  - Direct government support
  - Direct Institutional support
  - Indirect Institutional Support

Summary Data for Division I

By Subdivision

NCAA Research

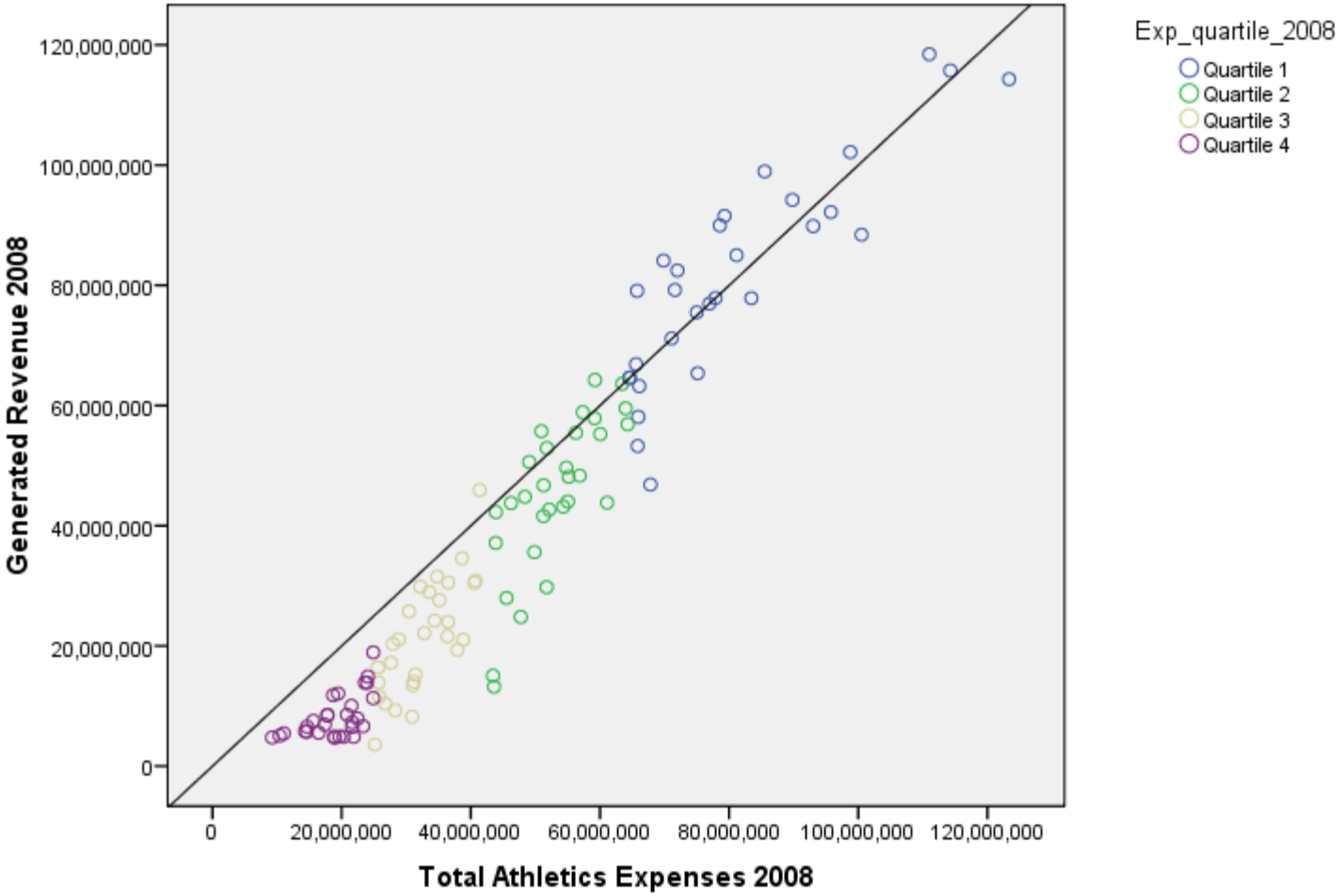
Median (and Range) 2008 Revenues and Expenses for Division I Institutions

By Subdivision

	FBS	FCS	Division I – No MFB
Generated Revenues	$30,494,000 ($3.5 million to $118 million)	$2,978,000 ($600,000 to $17.5 million)	$2,125,000 ($400,000 to $13.7 million)
Total Revenues	$41,088,000 ($8.3 million to $124 million)	$12,080,000 ($2.4 million to $38.7 million)	$10,082,000 ($1.3 million to $29.2 million)
Total Expenses	$41,363,000 ($9.2 million to $123 million)	$12,115,000 ($2.7 million to $40.3 million)	$10,347,000 ($3.4 million to $29.2 million)
Net Generated Revenue	($8,089,000) ((-$30 million) to +$14.2 million)	($7,937,000) ($22.7 million to $2.0 million)	($8,031,000) ($22.1 million to $2.5 million)

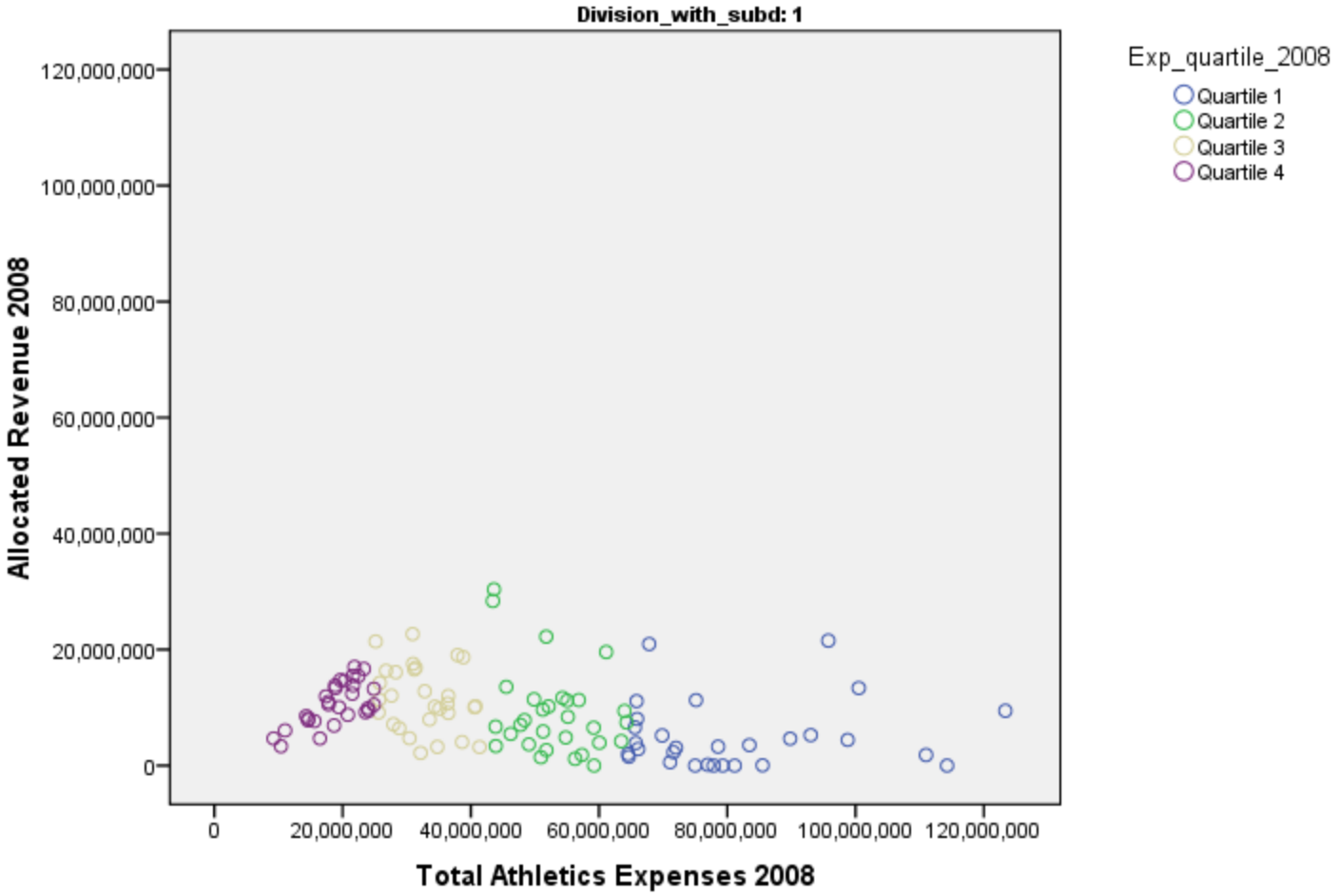
Division I FBS Generated Revenue versus Total Athletics Expenses

By Expense Quartile for 2008



Division I FBS Allocated Revenue versus Total Athletics Expenses

By Expense Quartile for 2008



Summary of 2008 FBS Data

- Large disparities seen in both revenues and expenses across FBS institutions (largest budgets over 13 times larger than smallest budgets in FBS).
- Median institution shows negative net revenue of approximately $8 million.
- Generated revenues exceeded expenses for in 2008 at 25 institutions. The average net positive revenue for those institutions was $5 million (ranged from $2,000 to $14.2 million).
- 18 institutions showed positive net revenue when aggregating across all five years of data.
- Total budget correlates very highly ($r > .96$) with total generated revenue.

NCAA Research

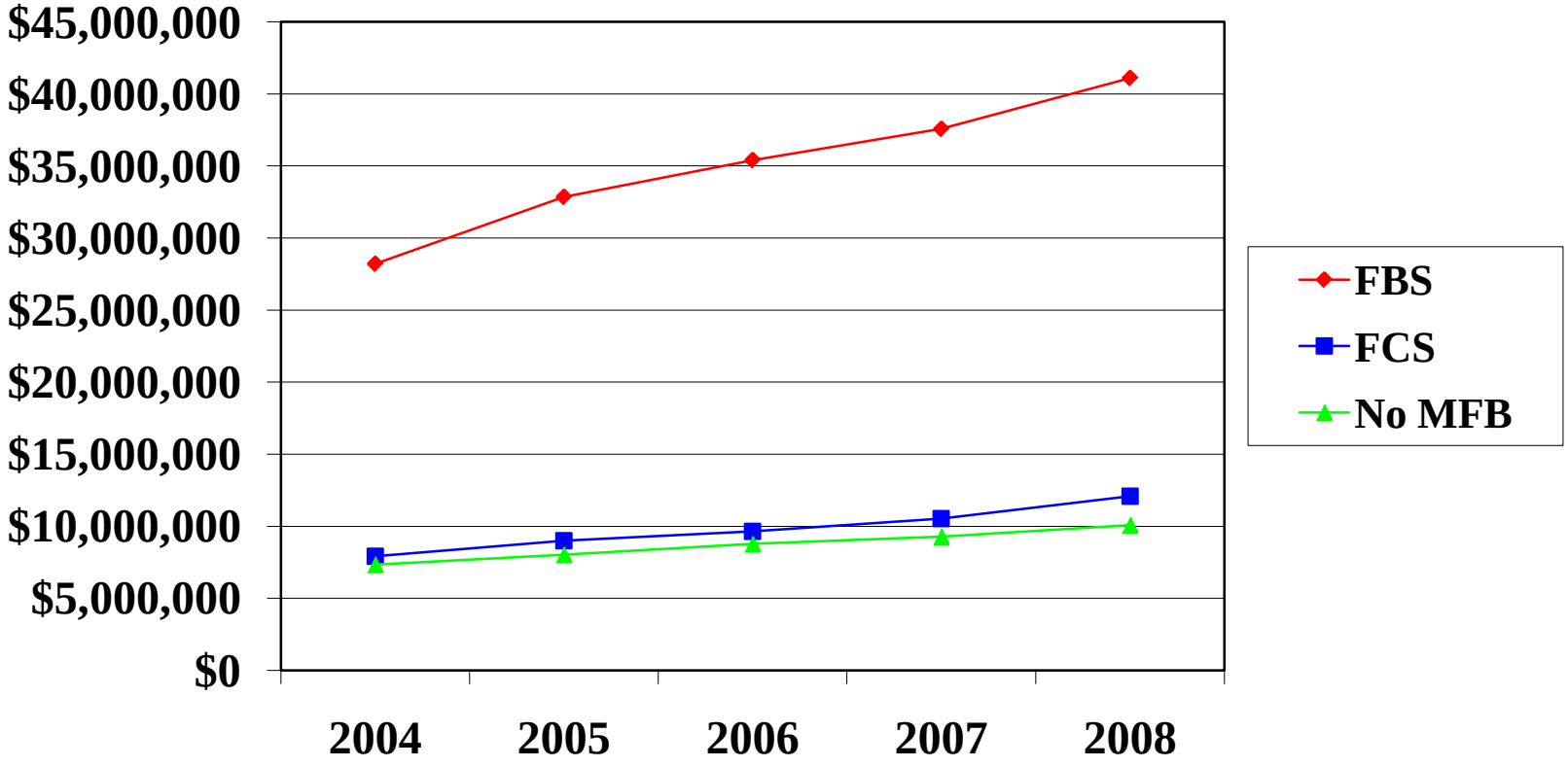
Revenue and Expense Trends from 2004 to 2008

By Subdivision

NCAA Research

Division I Median Total Revenues

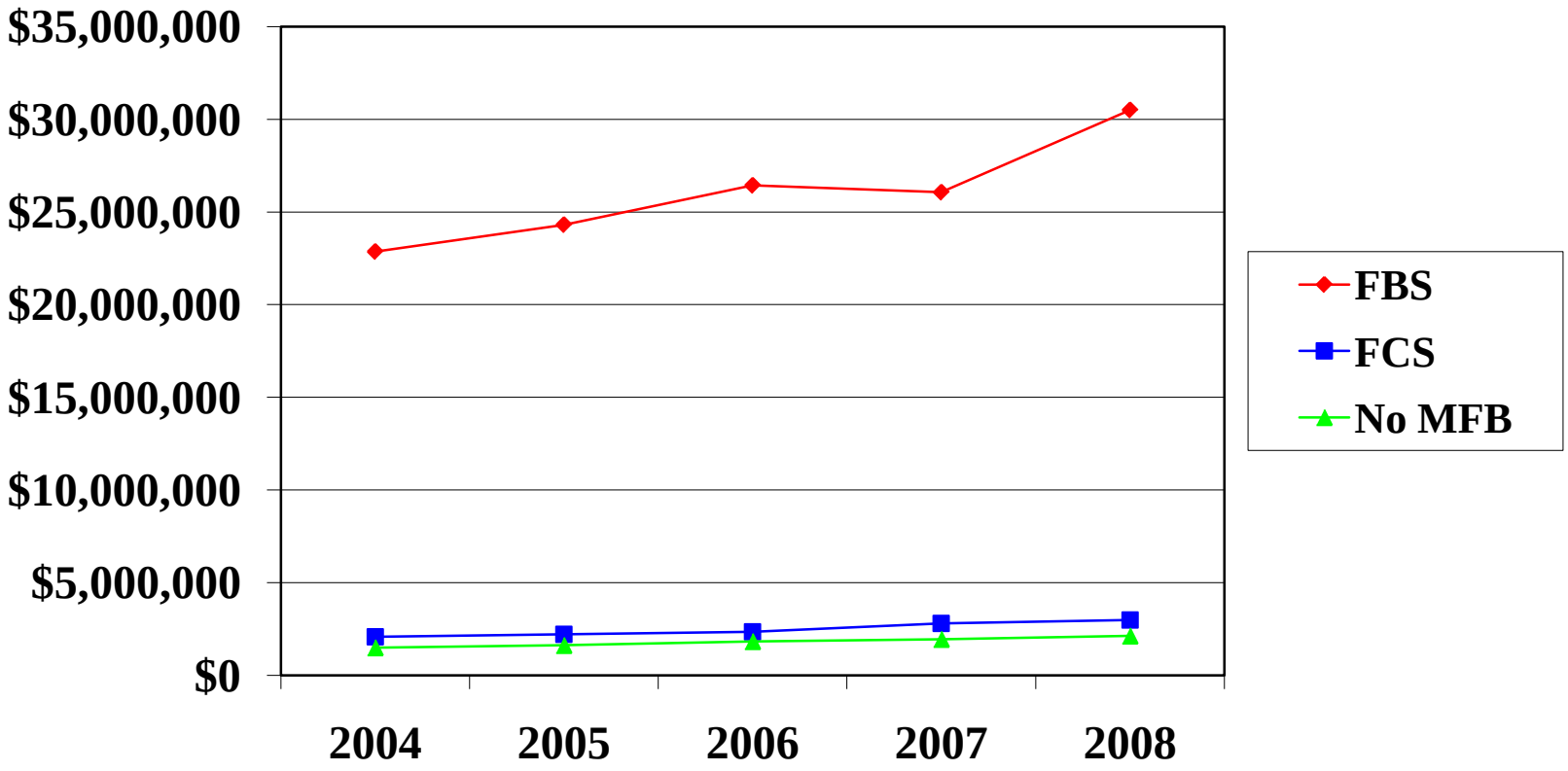
By Subdivision and Year (2004 – 2008)



Percent Increase from 2004-2008: FBS = 45.6%
FCS = 52.5%
No MFB = 37.3%

Division I Median Generated Revenues

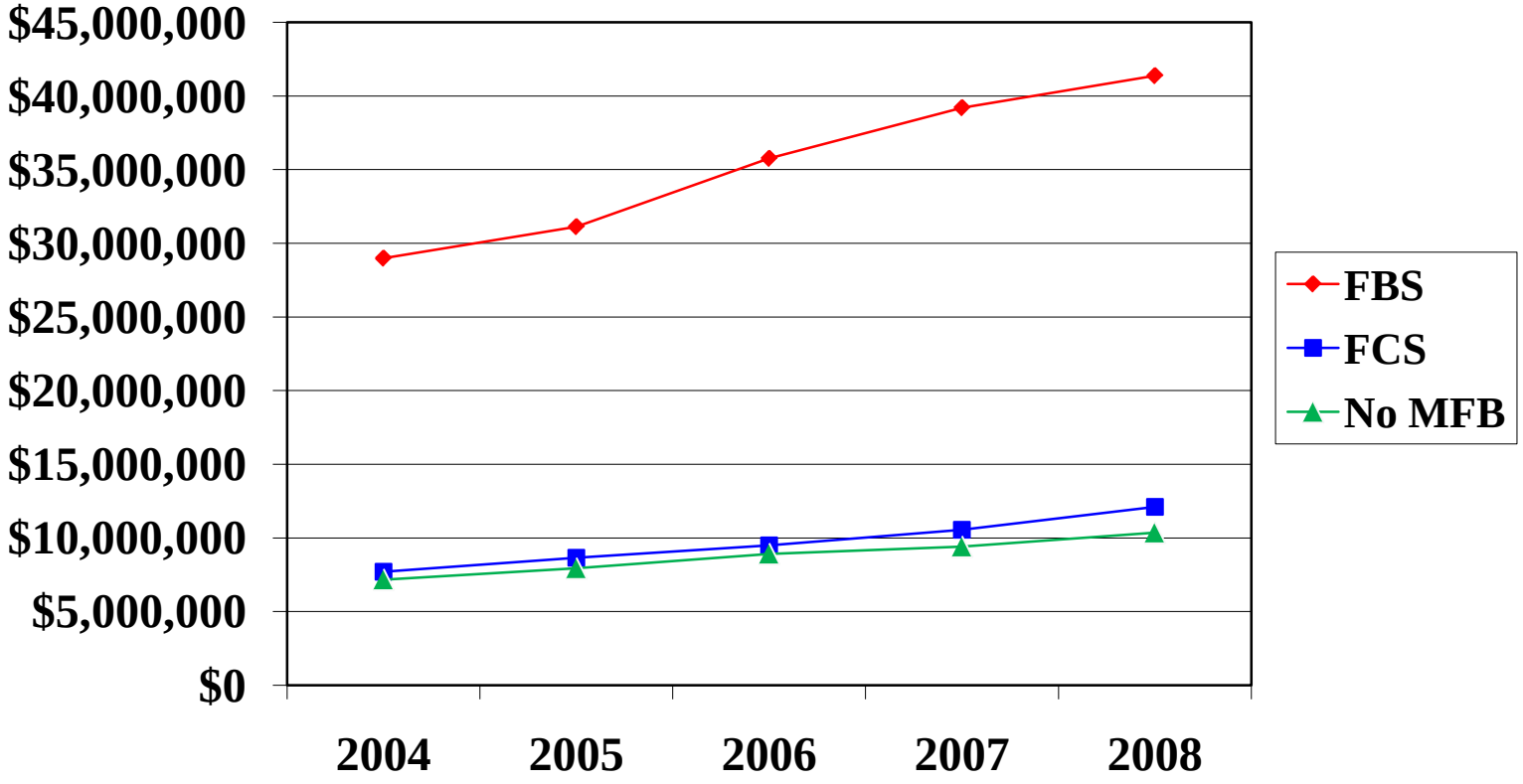
By Subdivision and Year (2004 – 2008)



Percent Increase from 2004-2008: FBS = 33.3%
FCS = 43.3%
No MFB = 42.2%

Division I Median Total Expenses

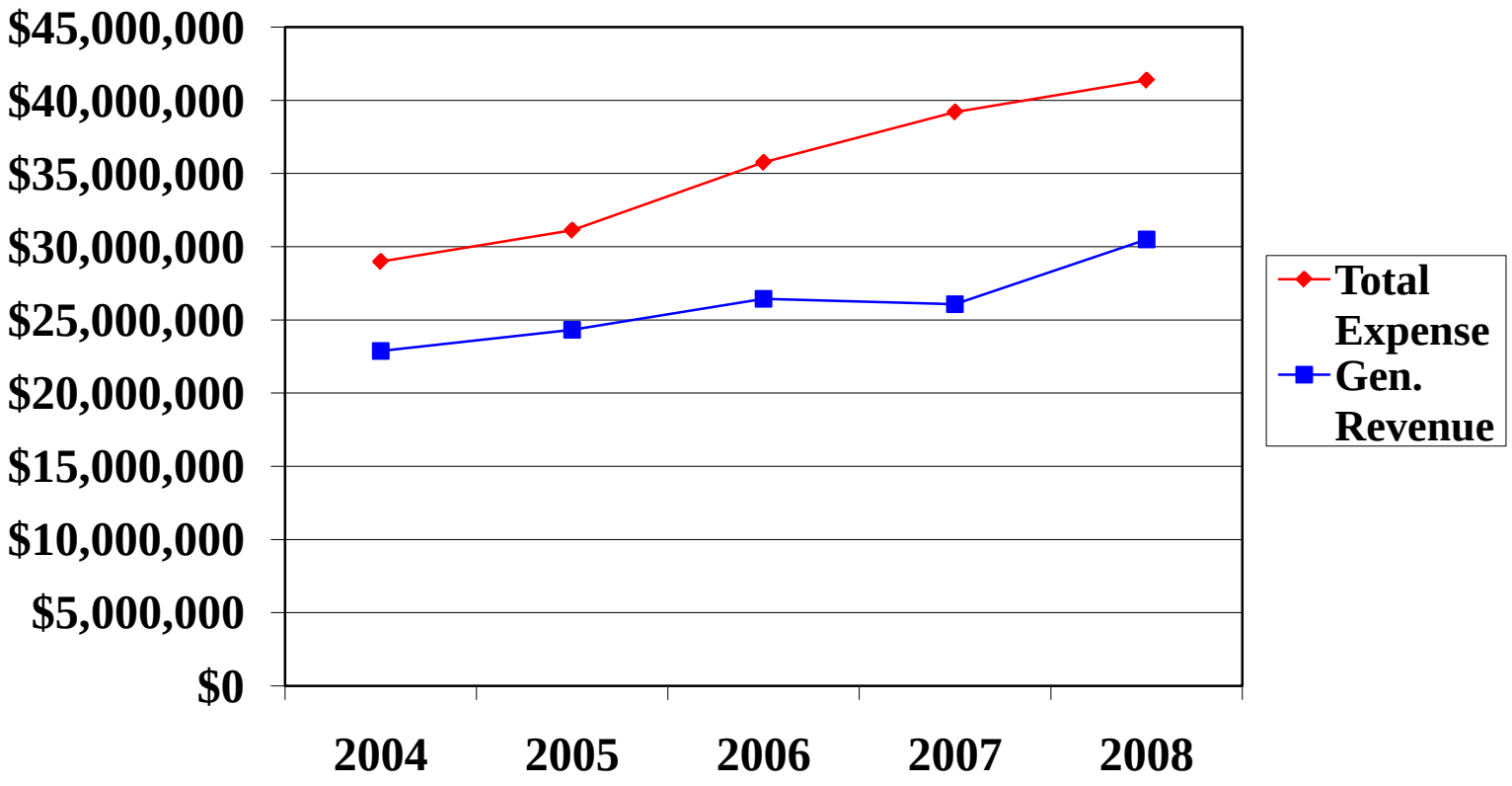
By Subdivision and Year (2004 – 2008)



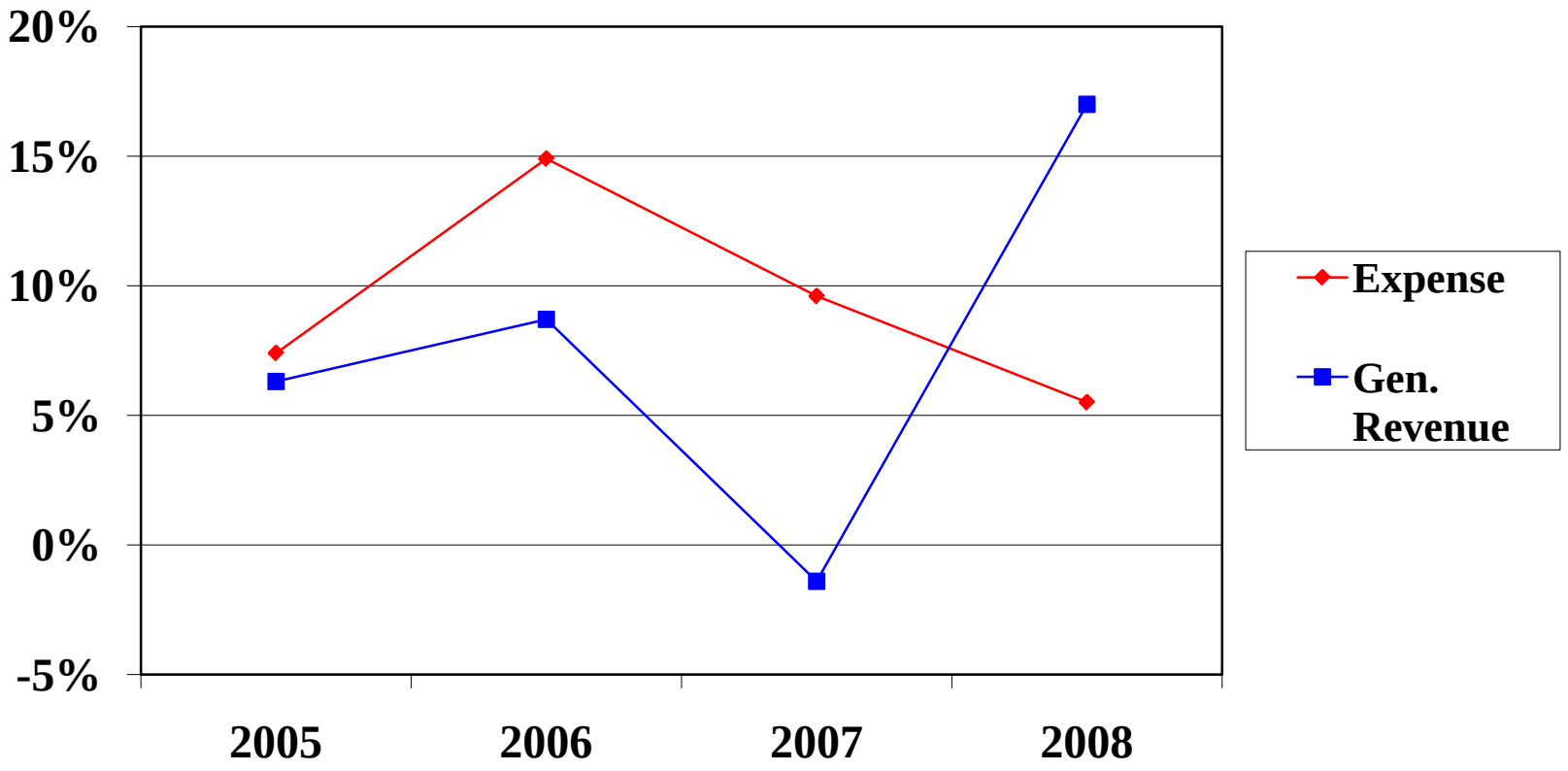
Percent Increase from 2004-2008: FBS = 42.7%
FCS = 57.5%
No MFB = 44.3%

Comparison of FBS Generated Revenue and Total Expense Trends

(2004 – 2008)

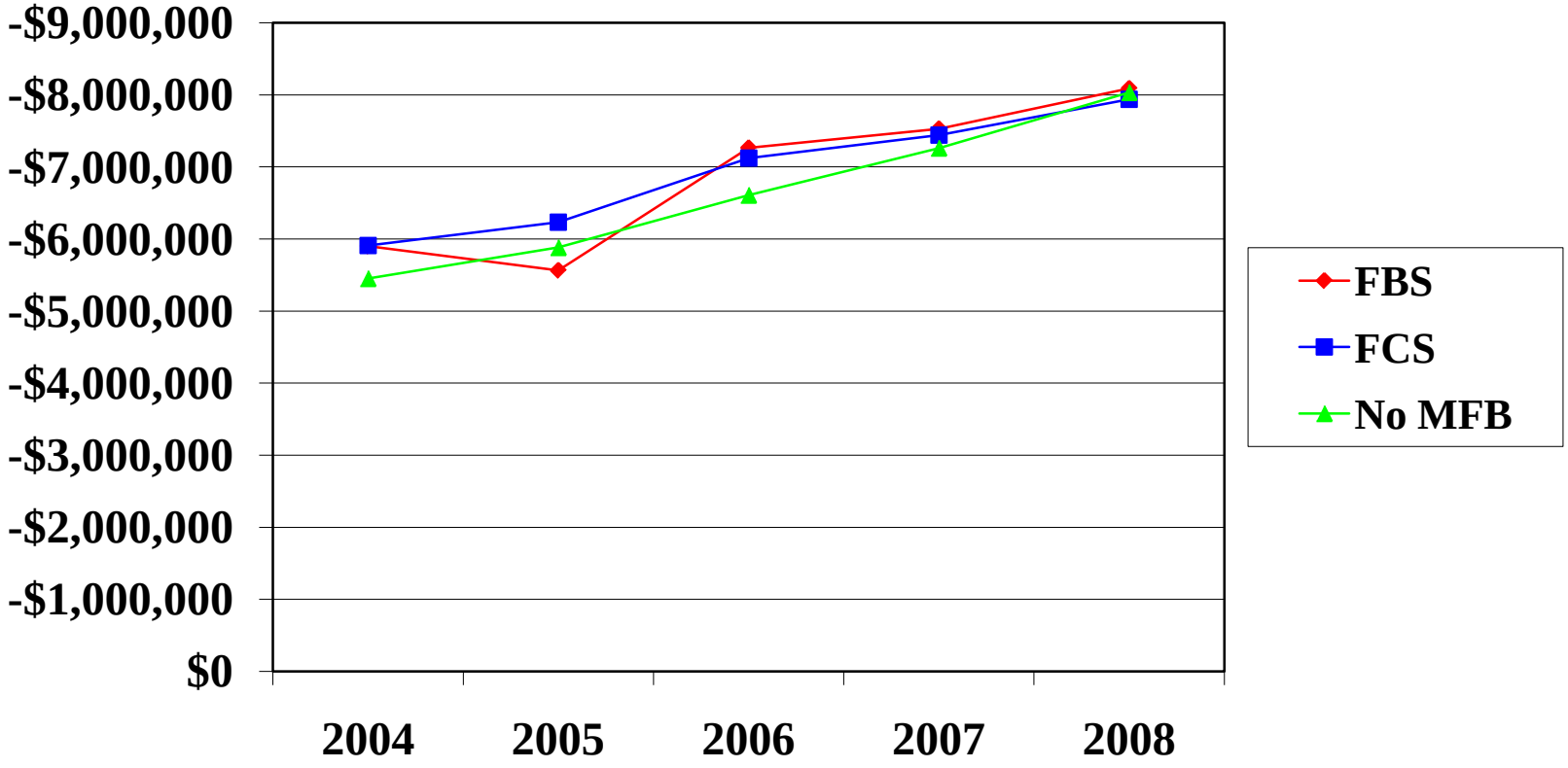


Comparison of FBS Median Annual Revenue and Expense Percentage Increases
(2004 – 2008)



Division I Net Operating Results Excluding Allocated Support

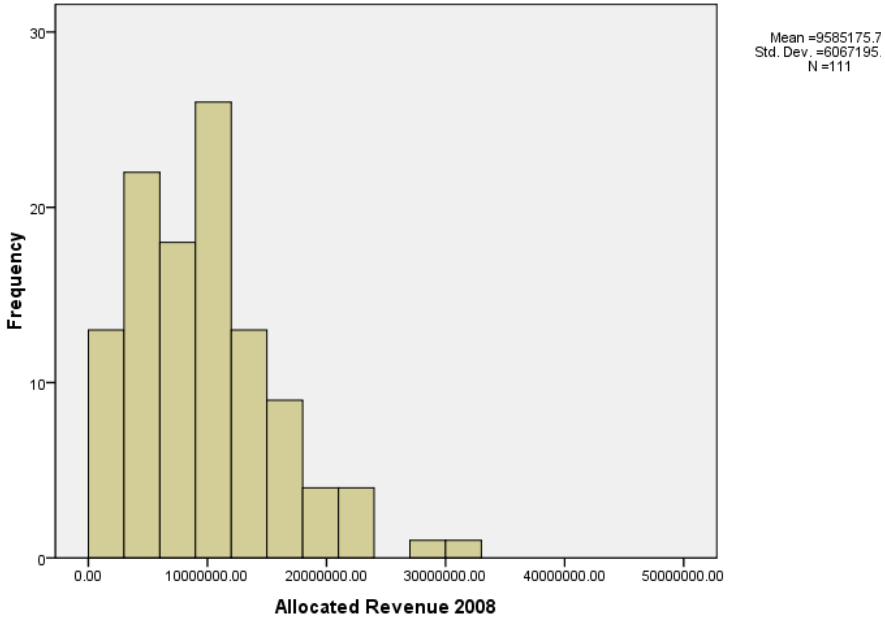
By Subdivision and Year (2004-2008)

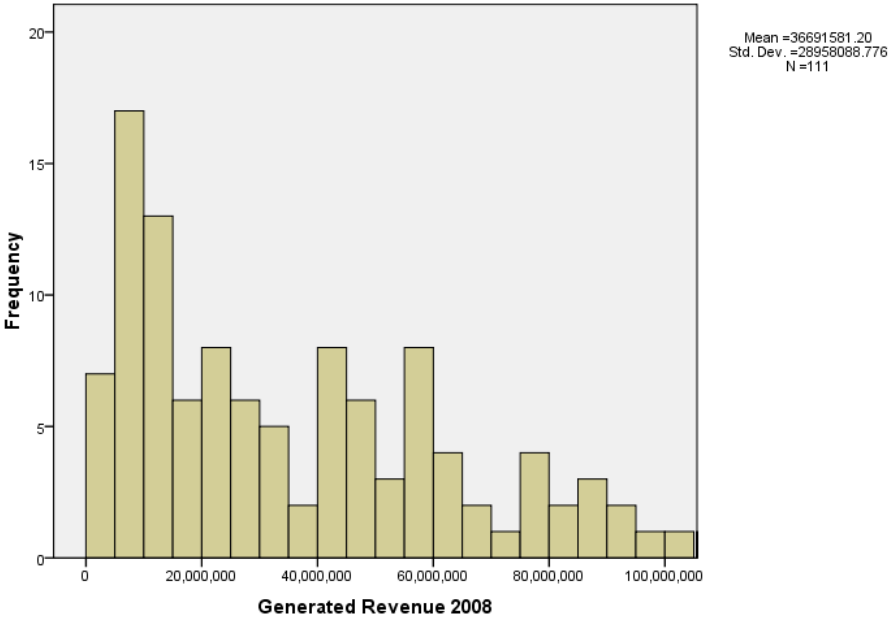


Percent Increase from 2004-2008: FBS = 37.1%
FCS = 34.4%
No MFB = 47.3%

Comparison of Allocated and Generated Revenue Distributions in Division I FBS

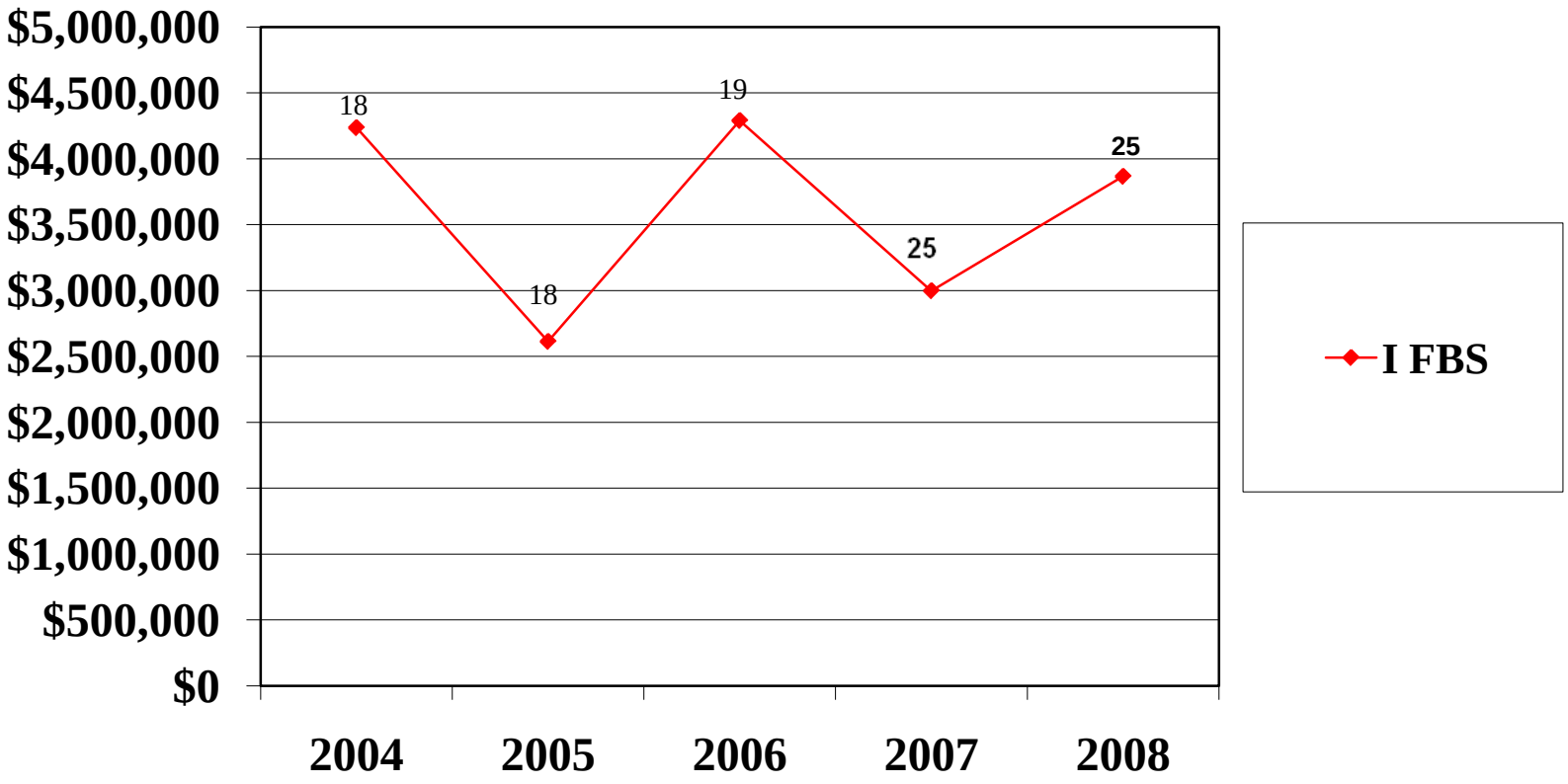
2008 Data





Division I FBS Average Positive Net Revenue (PNR) For Those Schools Reporting PNR

By Year



*Number displayed by each data point equals number of institutions showing positive net revenue in that year.

Summary of 2004-08 FBS Trend Data

- Over the five year period, generate revenues grew by 33.3 percent. Total expenses grew by 42.7 percent.

- However, over the past two years, generated revenues grew by 15 percent and total expenses by 16 percent indicating a lessening in the growth gap between revenues and expenses.

- The three subdivisions show wide disparities among them in terms of median revenues and expenses. However, the median negative net revenue is very similar across the three subdivisions and there is a fairly narrow distribution of allocated revenue totals across the division. This may indicate some consensus on the monetary value to institutions of supporting a Division I athletics program.

NCAA Research

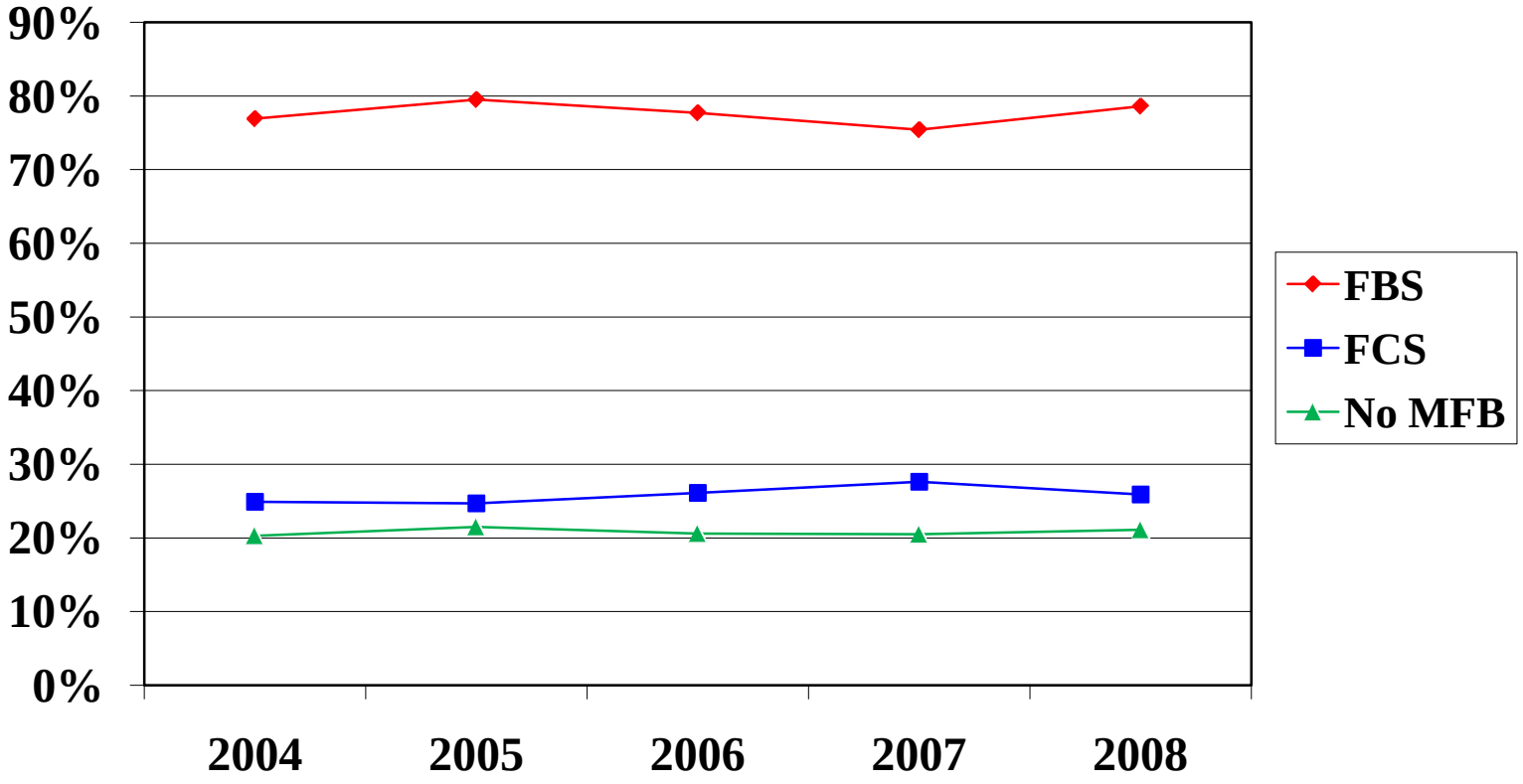
Selected Findings from Dashboard Indicators

By Subdivision

NCAA Research

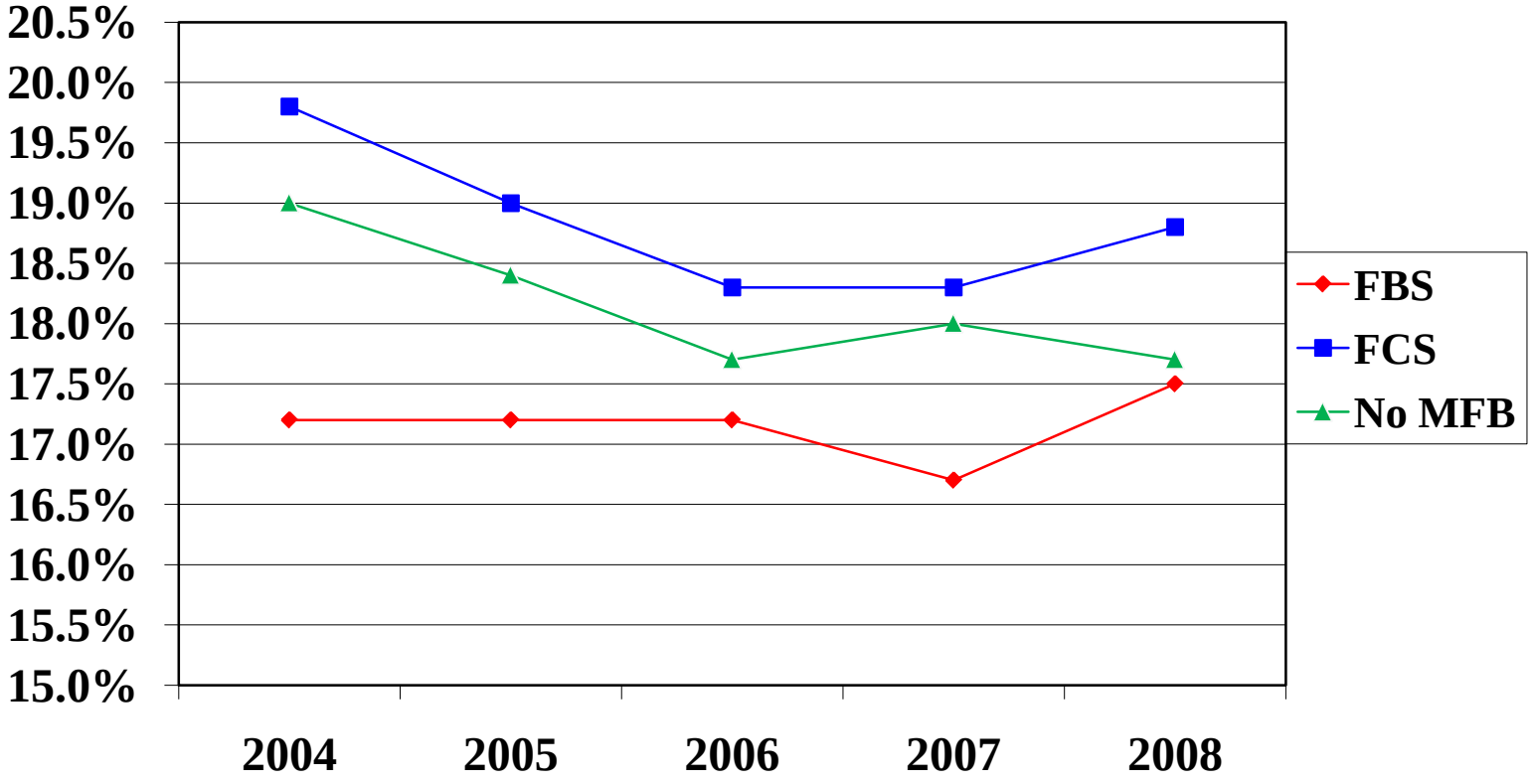
Division I Median Revenue Self-Sufficiency (Gen. Rev by Total Exp.)

By Subdivision and Year (2004 – 2008)



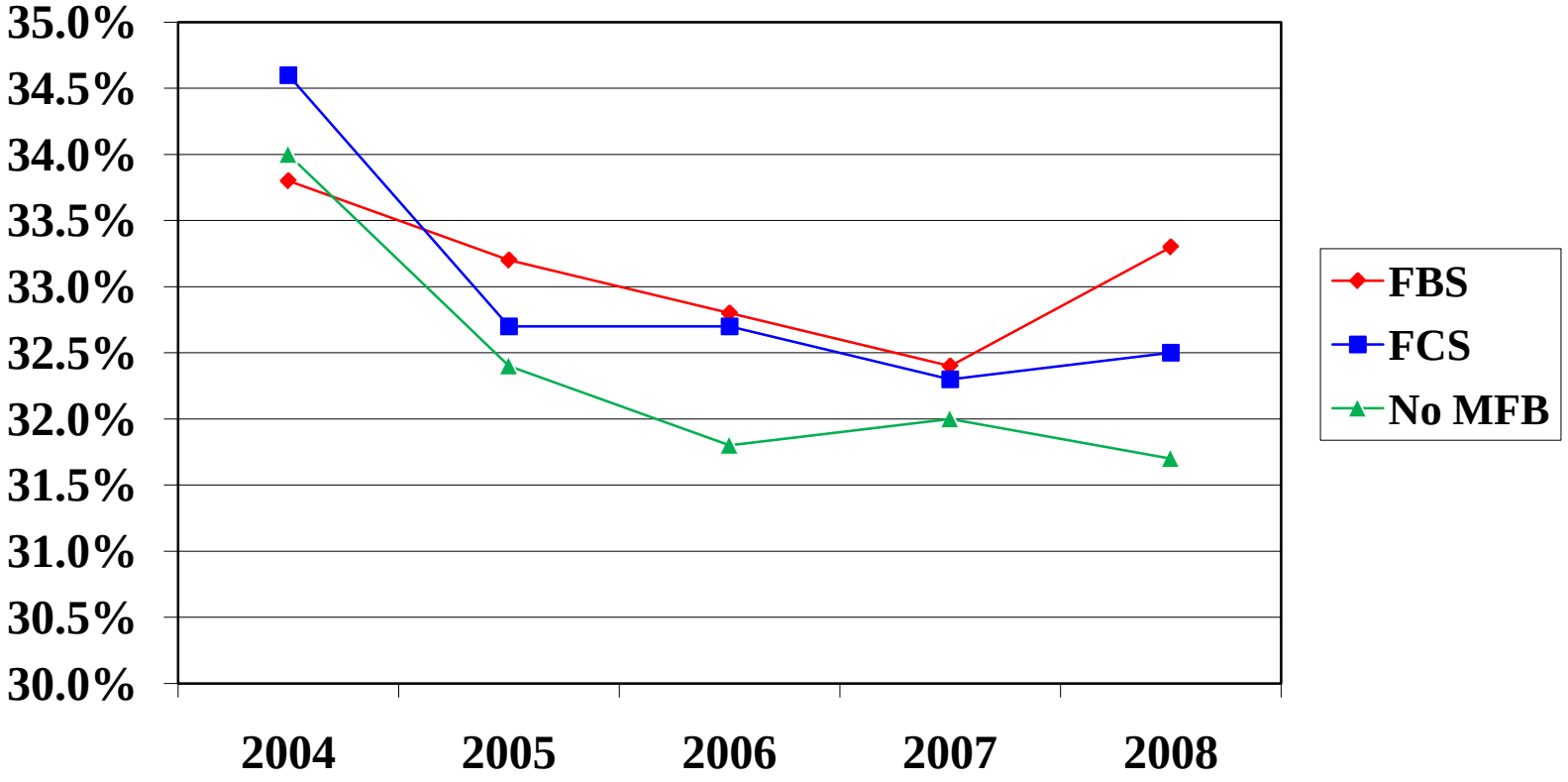
Division I Median Proportion of Total Expenses Related to Coaches' Compensation

By Subdivision and Year (2004 – 2008)



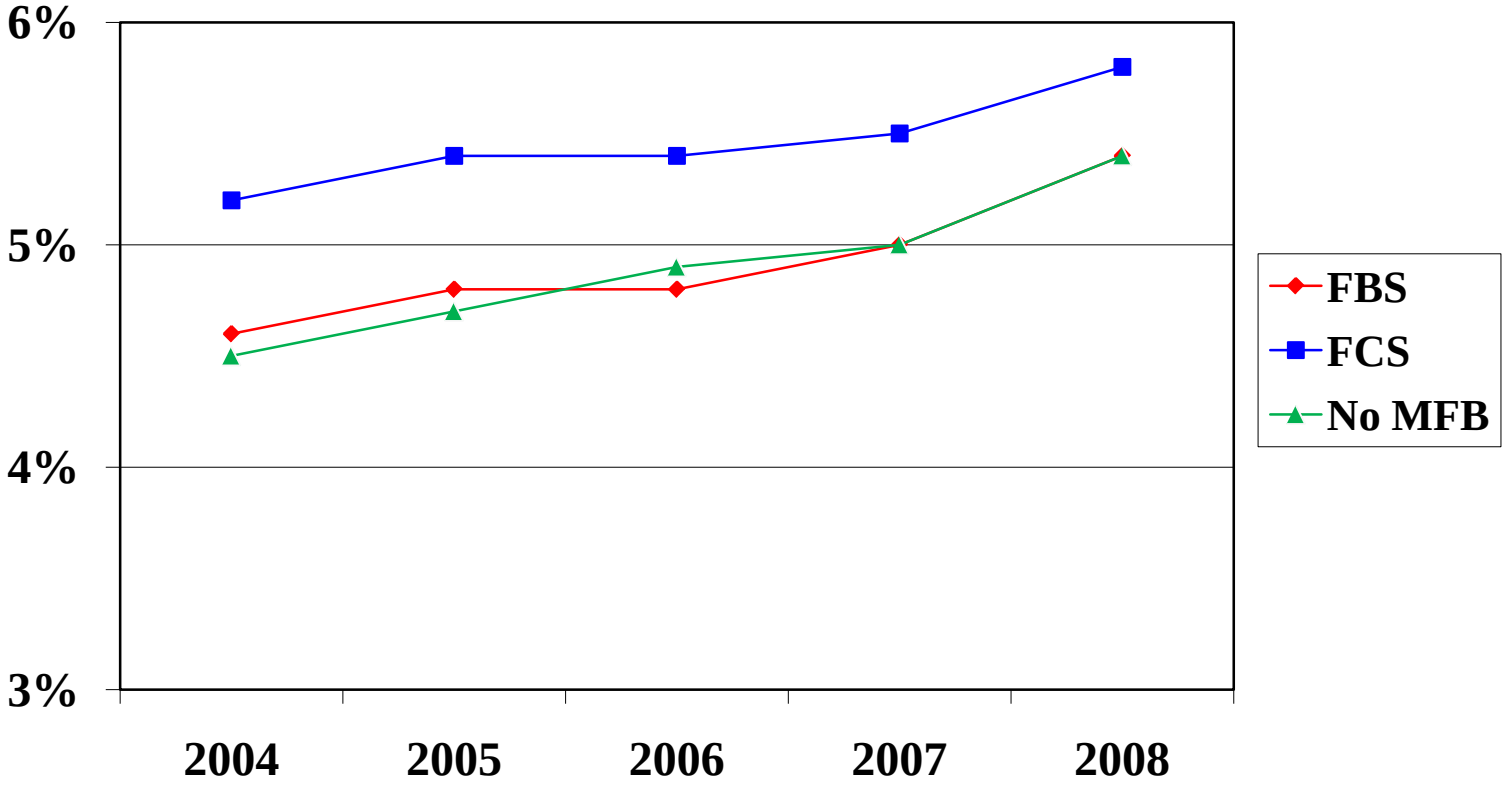
Division I Median Proportion of Total Expenses Related to Total Compensation

By Subdivision and Year (2004 – 2008)



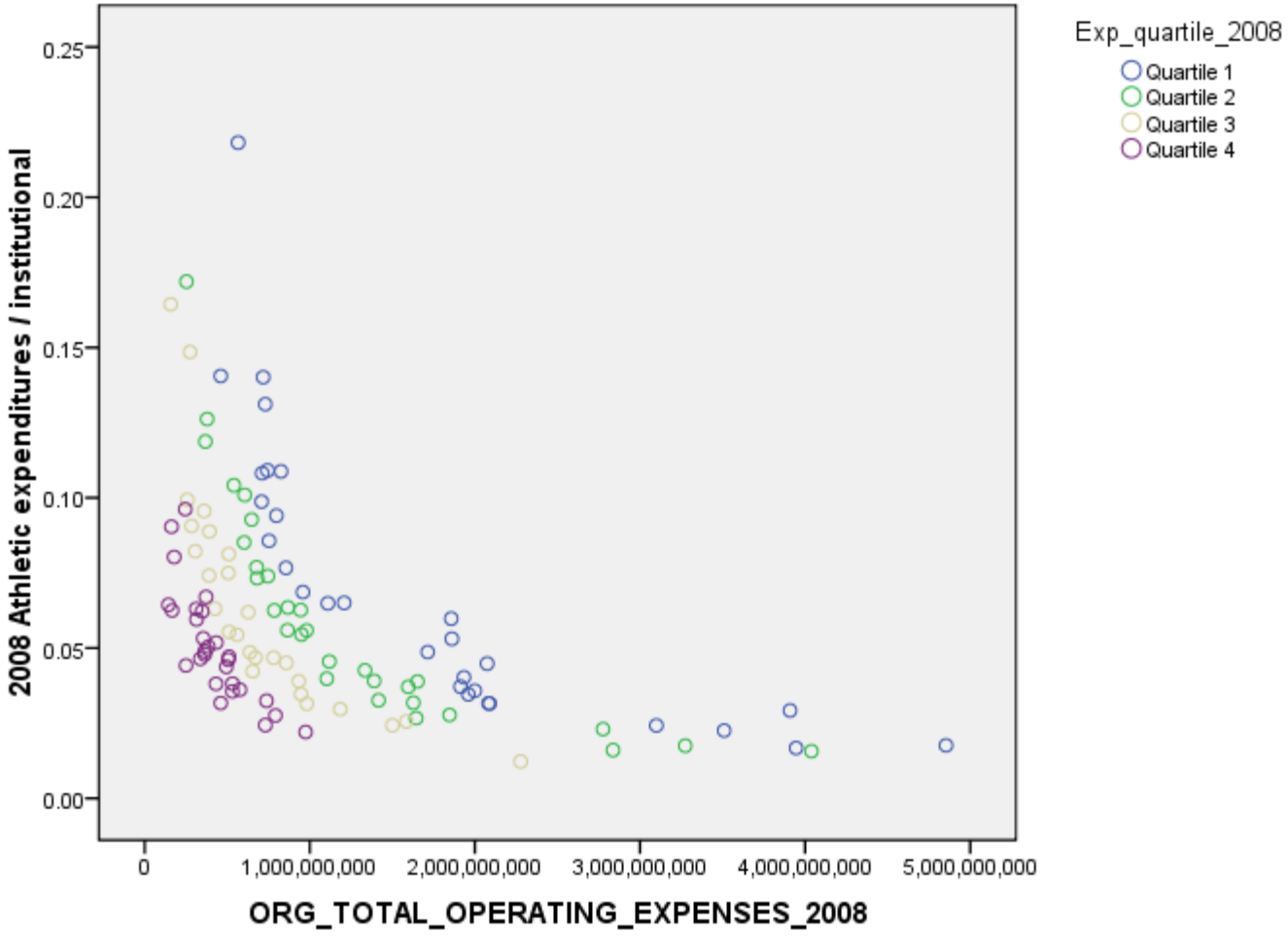
Division I Median Ratio of Athletics Expenses to Institutional Expenses

By Subdivision and Year (2004 – 2008)



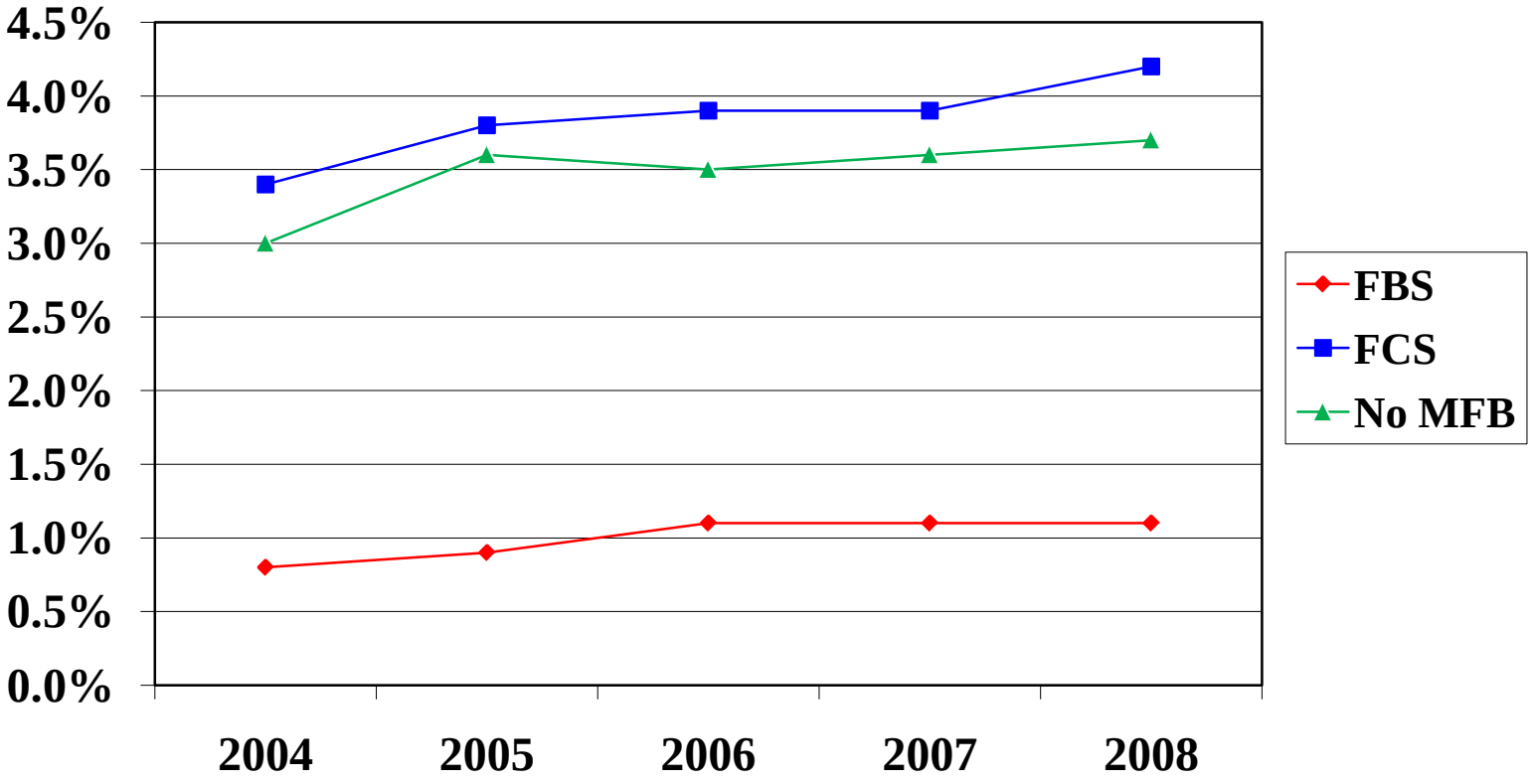
Division I FBS Institutional Expenses versus Ratio of Athletics to Institutional Expenses

By Expense Quartile for 2008



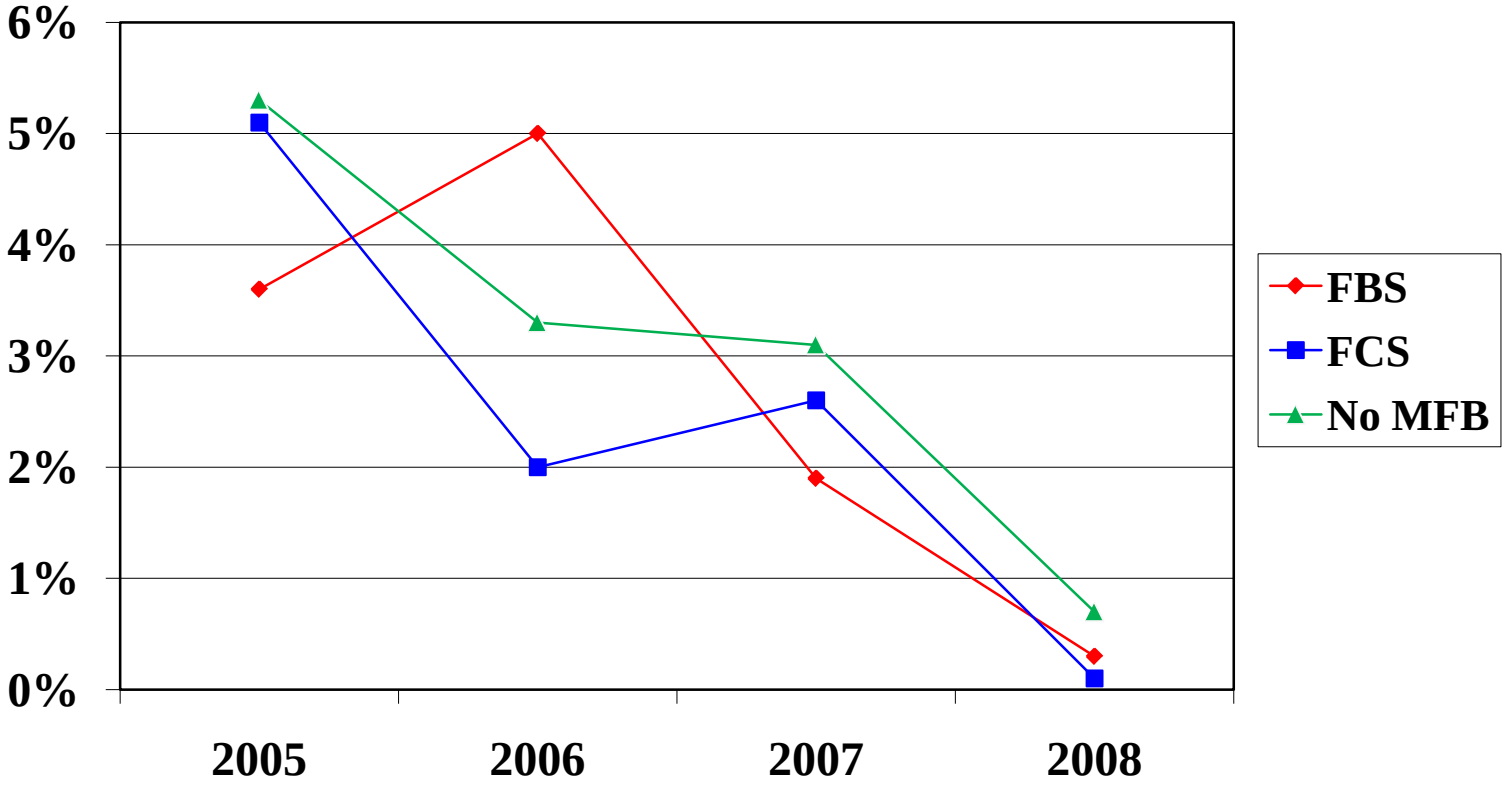
Division I Median Ratio of Allocated Revenues to Institutional Expenses

By Subdivision and Year (2004 – 2008)



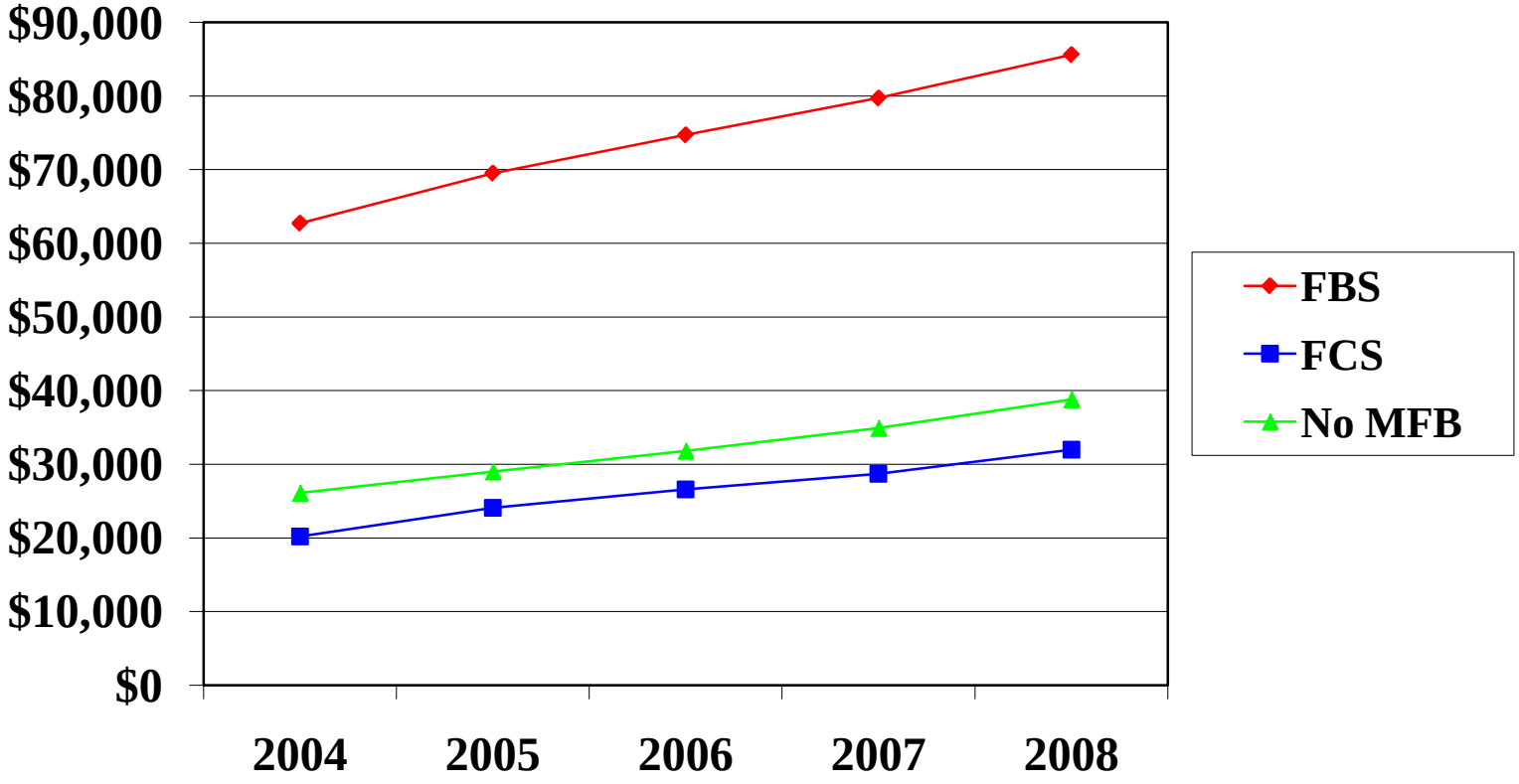
Division I Median Increase Gap Between Athletics Expenses and Institutional Expenses

By Subdivision and Year (2004 – 2008)



Division I Median Athletic Expense per Student-Athlete

By Subdivision and Year (2004 – 2008)



Summary of 2004-08 FBS Dashboard Indicator Trend Data

- The median FBS institution is approximately 80 percent self-sufficient. This is in contrast with 20-30 percent levels in the other two subdivisions.

- Coaches' compensation as a proportion of total expenses has been fairly steady over the period, but there was a slight increase in that ratio in the last year. Total compensation illustrated similar trends.

- The median ratio of athletics expenses to institutional expenses has grown from 4.5 percent to 5.4 percent over this period. The median ratio of allocated expenses to institutional expenses is close to 1 percent.

- In the early years of this time period, athletics expenses were growing at rates that were up to 5 percent faster than institutional expenses. However, in the last year of data that gap had closed to almost zero.

- Cost per student-athlete has grown from $63,000 to $86,000.

NCAA Research

Revenue and Expense Detail For FBS Institutions

By Expense Quartile

NCAA Research

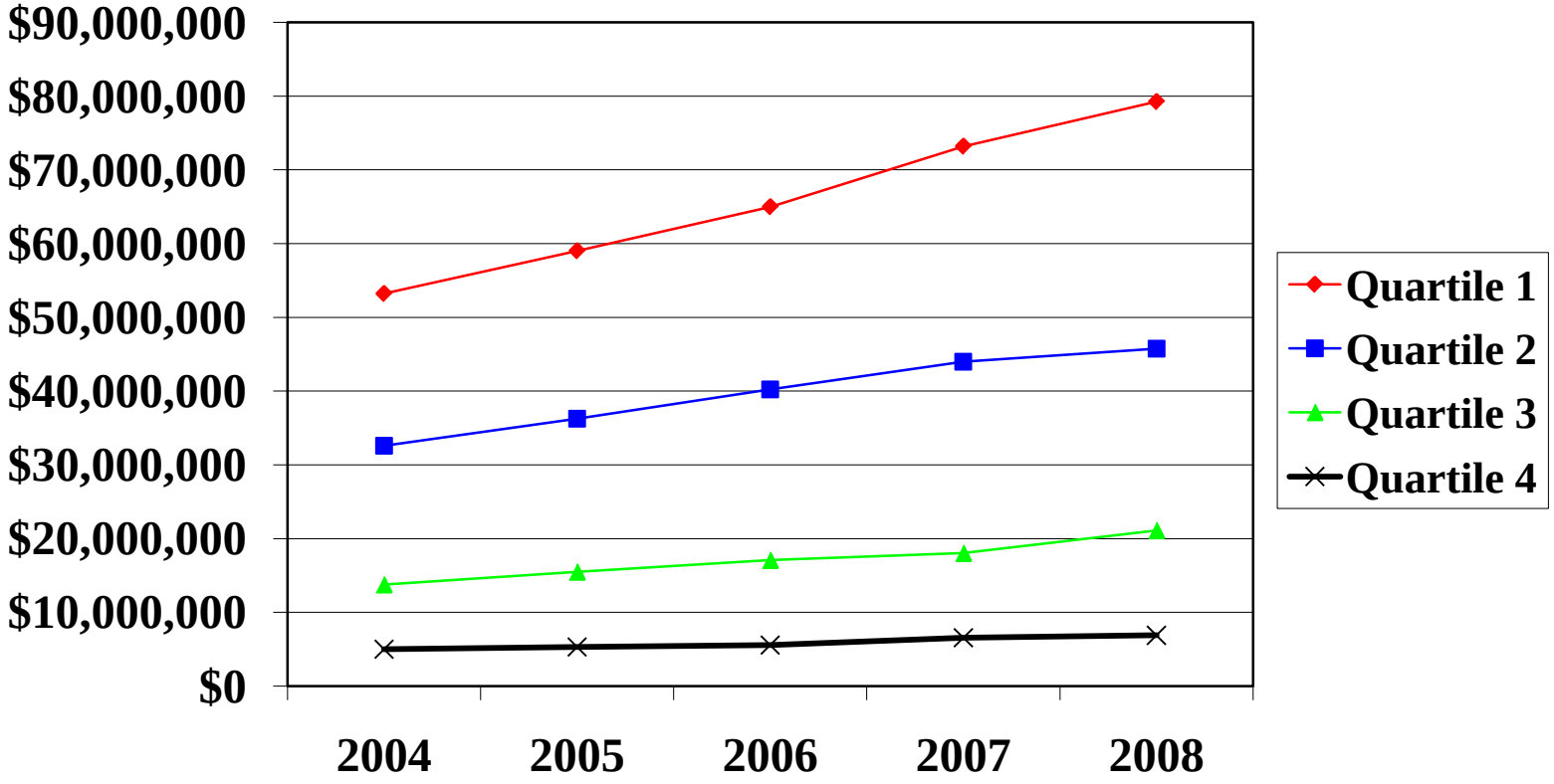
Median 2008 Revenues and Expenses for FBS Institutions

By Expense Quartile

	Quartile 1	Quartile 2	Quartile 3	Quartile 4	Overall FBS
Generated Revenues	$79,228,069	$45,756,700	$21,098,122	$6,885,200	$30,494,000
Total Revenues	$82,976,000	$54,672,600	$32,118,300	$19,387,300	$41,088,000
Total Expenses	$76,945,900	$51,954,000	$32,164,200	$19,441,800	$41,363,000
Net Generated Revenue	$78,265	($5,928,900)	($10,423,800)	($10,088,200)	($8,089,000)

Division I FBS Median Generated Revenues

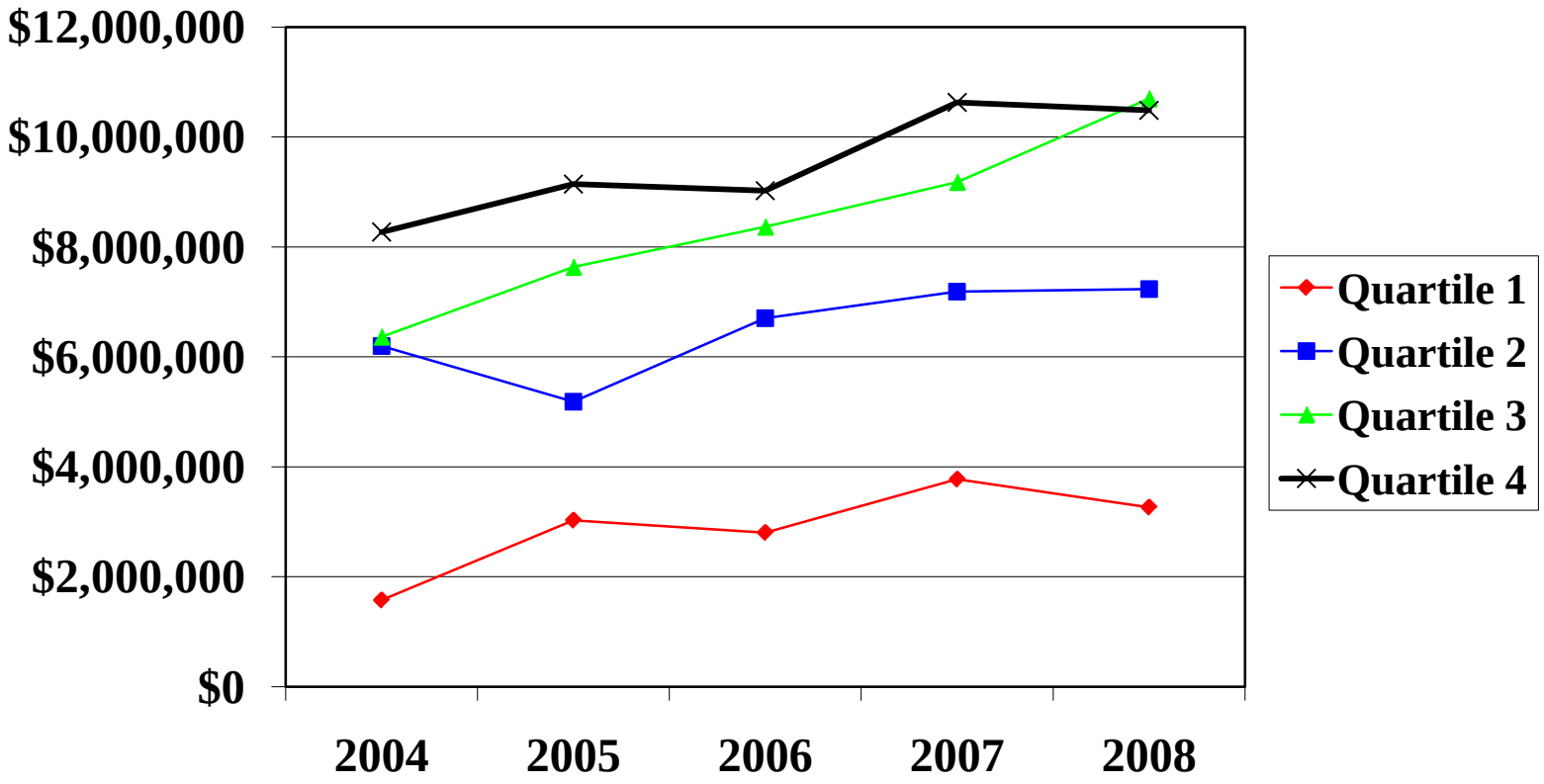
By Expense Quartile and Year (2004 – 2008)



Percent Increase from 2004-2008: Quartile 1 = 48.9%
Quartile 2 = 40.4%
Quartile 3 = 53.5%
Quartile 4 = 37.9%

Division I FBS Median Allocated Revenues

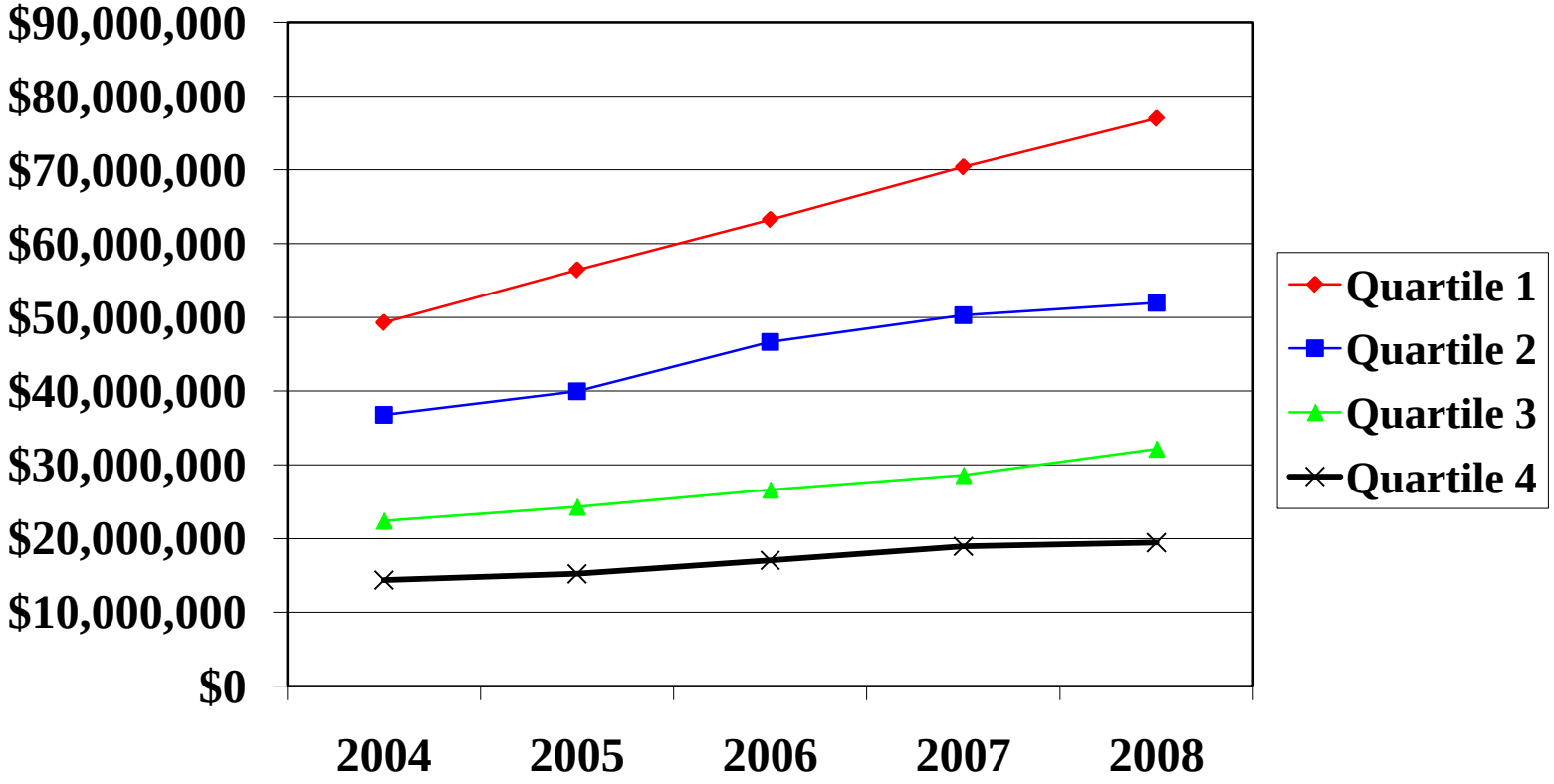
By Expense Quartile and Year (2004 – 2008)



Percent Increase from 2004-2008: Quartile 1 = 107.3%
Quartile 2 = 16.7%
Quartile 3 = 68.1%
Quartile 4 = 26.7%

Division I FBS Median Total Expenses

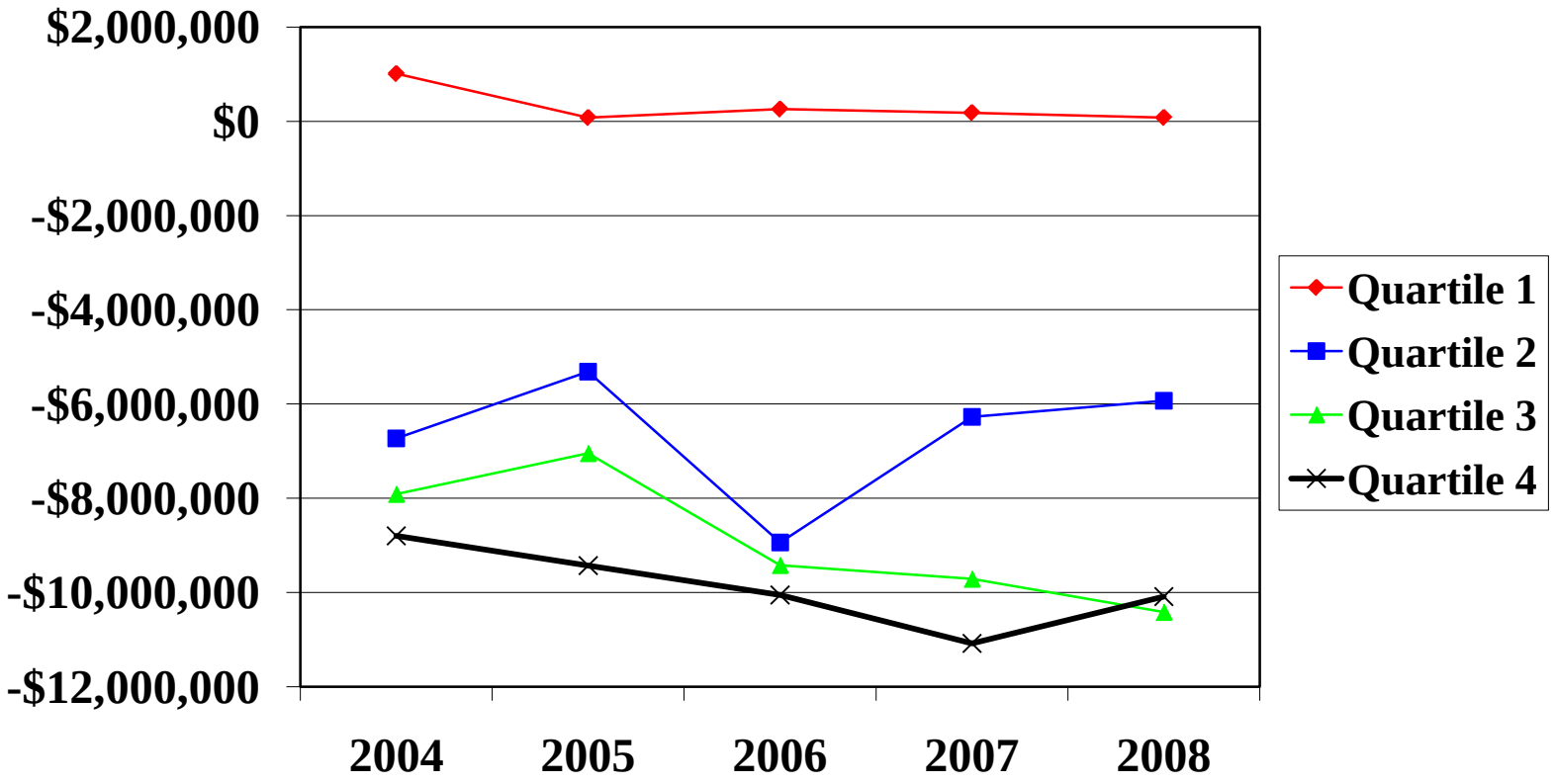
By Expense Quartile and Year (2004 – 2008)



Percent Increase from 2004-2008: Quartile 1 = 56.1%
Quartile 2 = 41.3%
Quartile 3 = 43.6%
Quartile 4 = 35.2%

Division I FBS Net Generated Revenue

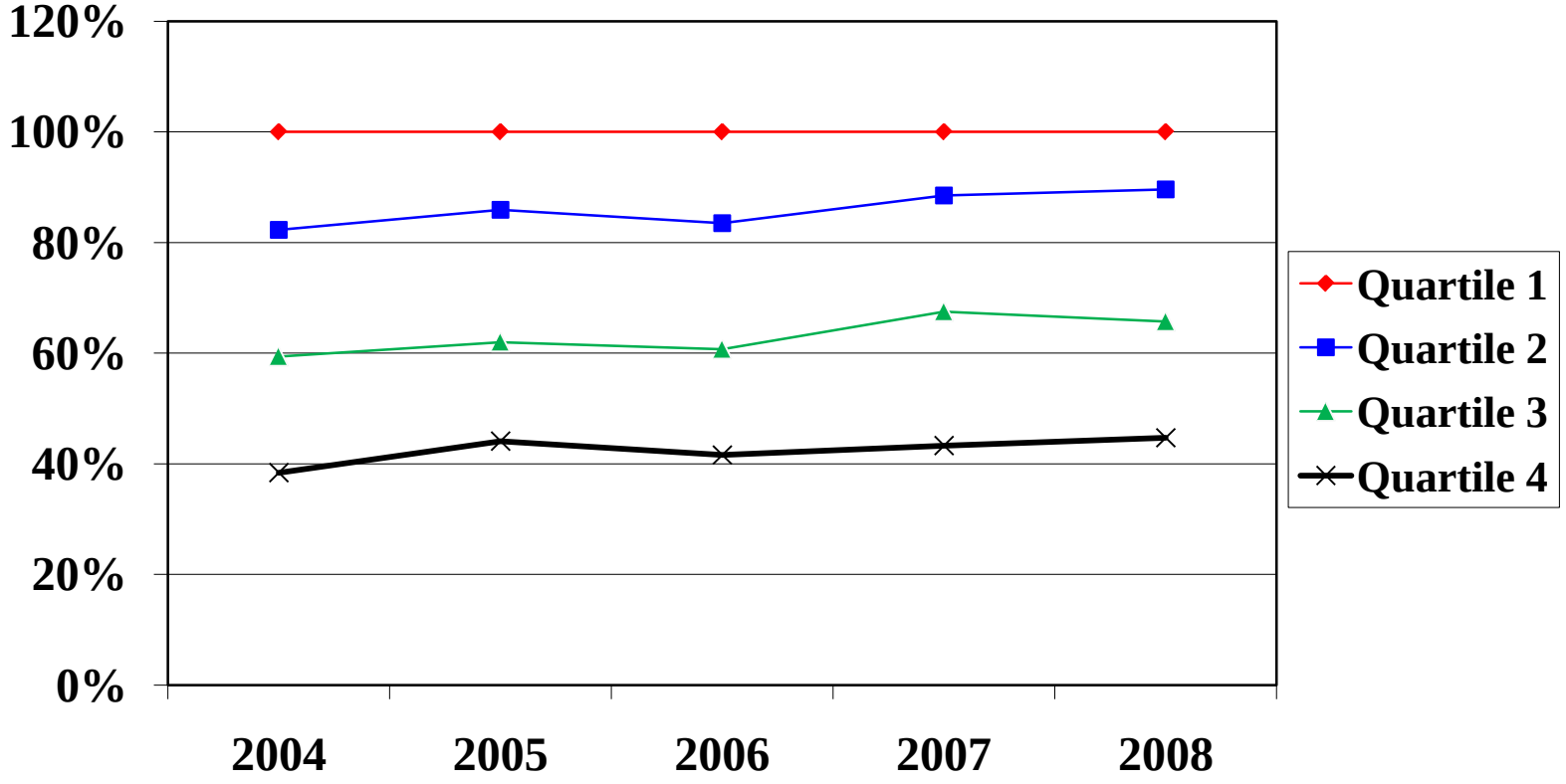
By Expense Quartile and Year (2004 – 2008)



Percent Change from 2004-2008: Quartile 1 = -92.2%
Quartile 2 = 11.9%
Quartile 3 = -31.6%
Quartile 4 = -14.6%

Division I FBS Median Revenue Self-Sufficiency (Gen. Rev by Total Exp.)

By Expense Quartile and Year (2004 – 2008)



Top 4 Revenue Categories for FBS Institutions

By Expense Quartile

	Quartile 1	Quartile 2	Quartile 3	Quartile 4	Overall FBS
Category 1 (% of Total)	Ticket Sales (27.0%)	Ticket Sales (25.3%)	Ticket Sales (19.9%)	Student Fees (26.3%)	Ticket Sales (20.9%)
Category 2 (% of Total)	Alumni Contributions (23.5%)	Alumni Contributions (22.6%)	Direct Inst. Support (16.3%)	Direct Inst. Support (19.0%)	Alumni Contributions (18.3%)
Category 3 (% of Total)	NCAA/Conf. Distributions (13.7%)	NCAA/Conf. Distributions (17.8%)	Alumni Contributions (14.9%)	Alumni Contributions (7.2%)	NCAA/Conf. Distributions (14.4%)
Category 4 (% of Total)	Royalties and Sponsorships (6.3%)	Direct Inst. Support (7.1%)	NCAA/Conf. Distributions (10.1%)	Guarantees (6.1%)	Direct Inst. Support (8.9%)

Top 4 Expense Categories for FBS Institutions

By Expense Quartile

	Quartile 1	Quartile 2	Quartile 3	Quartile 4	Overall FBS
Category 1 (% of Total)	Salaries and Benefits (30.4%)	Salaries and Benefits (32.7%)	Salaries and Benefits (35.8%)	Salaries and Benefits (33.2%)	Salaries and Benefits (32.3%)
Category 2 (% of Total)	Facilities and Maintenance (20.3%)	Grants-in-Aid (16.6%)	Grants-in-Aid (17.0%)	Grants-in-Aid (24.6%)	Grants-in-Aid (16.1%)
Category 3 (% of Total)	Grants-in-Aid (10.6%)	Facilities and Maintenance (11.4%)	Other Expenses (9.4%)	Team Travel (8.8%)	Facilities and Maintenance (9.2%)
Category 4 (% of Total)	Other Expenses (8.4%)	Other Expenses (8.1%)	Team Travel (7.9%)	Other Expenses (5.0%)	Other Expenses (7.8%)

Summary of 2004-08 FBS Revenue and Expense Detail

- There are large disparities within FBS in both revenues and expenses. For instance the median expenses in the top quartile were approximately $79 million, versus a median a $19 million in the lowest quartile.

- The gap between high and low seems to be widening. The lowest quartile shows the lowest rate of growth in generated revenues; conversely, the highest quartile is growing expenses at the fastest rate.

- Only the second quartile shows positive growth in net generated revenue.

- Ticket sales are the top revenue category in the three highest quartiles. Student fees are the top revenue generator in the lowest quartile.

- Salaries are the main expense items in all quartiles at approximately 33 percent of total expenses. Facilities expenses are second for the top quartile, for all others it is grants-in-aid.

NCAA Research

Budget Issues from 2009 Academic Support Services Study

NCAA Research

Athletic Department Academic Support Budget

- Respondents were asked to provide their *institution's* overall budget dedicated to academic support for student-athletes. Responses varied greatly by subdivision and resource category. On average, 65% of the total budget was paid for by the athletics department.

	Total Budget	
	Range	Median
Results by Subdivision		
FBS	$20,000 – 2.6 million	$655,098 (n=78)
FCS	$0 – 1.025 million	$140,000 (n=53)
No Football	$0 – 460,000	$154,980 (n=43)
Results by Quartile		
Quartile 1	$0 – 2.6 million	$1,000,000 (n=46)
Quartile 2	$800 – 1,100,436	$203,582 (n=46)
Quartile 3	$20,000 – 620,000	$174,500 (n=41)
Quartile 4	$0 – 1.025 million	$150,000 (n=41)

Tutorial Support Budget

- Respondents were asked a series of questions related to their institutional budget directed to academic support for student-athletes. A few questions asked specifically about the tutorial support budget.

- The median spent by responding institutions was $30,000 during the 2008 fiscal year on tutorial support. FBS and institutions in Quartile 1 reported spending significantly more money on tutorial support.

Median spent in 2008:

FBS	FCS	No Football
$105,000 (n=83)	$11,500 (n=58)	$10,500 (n=48)

Quartile 1	Quartile 2	Quartile 3	Quartile 4
$140,000 (N=53)	$17,000 (N=47)	$20,000 (N=43)	$11,000 (N=46)

Athletic Department Academic Support Budget (cont.)

- Given the current economic climate, we asked how spending on student-athletes has changed recently.

- Changes in spending on student-athletes (Note, we asked specifically for changes excluding investments in physical space):
  - 8% of institutions indicated spending on such programs has decreased since 2007
  - 28% reported there has been no change
  - 52% reported a 1-20% increase in total spending on academic support programs
  - The remaining 12% indicated a 21-100% increase.

- Changes in spending on athletics programs:
  - The majority of institutions reported a reduction in spending on athletics programs. Only 17% reported an increase.
  - There were no significant differences by subdivision or resource.

REPORT OF THE
NCAA DIVISION I COMMITTEE ON ACADEMIC PERFORMANCE
OCTOBER 26-27, 2009, MEETING

***KEY ITEMS*.**

1. **Graduation Success Rate (GSR) Release.** The NCAA Division I Committee on Academic Performance reviewed preliminary GSR and Federal Graduation Rate data that will be announced November 18, 2009. The upcoming release will include the GSR and the Federal Graduation Rate data for the 1999-2002 cohort.

2. **Head Coaches' APR Portfolio.** The committee will expand the information to be provided within the Head Coaches' APR Portfolio to include links to Federal Graduation Rates, GSRs and public NCAA Division I Academic Performance Program (APP) penalty and NCAA Division I Academic Progress Rate (APR) reports to provide additional context to the single-year APRs and employment information reported for each head coach. Development of the new site is on schedule for availability in summer 2010 and coaches will have the opportunity to confirm their information prior to the public release.

3. **Examination of the APP.** The committee began extensive review of the APP to determine the program's effectiveness in reaching the membership's goals for academic reform. This review will continue throughout the coming year and will include examinations of the APR benchmarks and penalty structures, penalty filters and waiver directives.

***ACTION ITEMS*.**

1. **Legislative Items.**

   - None.

2. **Nonlegislative Items.**

   - None.

***INFORMATIONAL ITEMS*.**

1. **Head Coaches' APR Portfolio and Head Coaches' Dashboard.** In response to the NCAA Division I Board of Directors' request for the committee to explore the viability

of maintaining both the Head Coaches' APR Portfolio and the Head Coaches Dashboard, the committee determined that the information provided via the Head Coaches' APR Portfolio will be expanded. Specifically, the site will include links to Federal Graduation Rates, GSRs and public APP penalty and APR reports to provide additional context to the single-year APRs reported for each head coach. Data collection for the portfolio began in July 2009 and will continue until November 2009. In order to ease institutional administrative burden, a phased rollout of the public Web site previously was approved, with football, women's indoor and outdoor track and field, baseball and men's and women's basketball to be reported during the initial year. All additional NCAA Division I sponsored sports will be reported in 2011. Feedback received from institutions on the data collection process has been positive and has allowed the staff to identify enhancements in education and improvements to the APP Web site for next year's large-scale collection of data. The committee also reviewed the timeline and details on the verification process of the head coaches' employment history using a password protected Web site. The public Head Coaches' APR Portfolio Web site, containing information on the six initial sports, currently is scheduled for release in summer 2010.

The committee will reconsider a more extensive Head Coaches' Dashboard concept in 2011-12, after the Head Coaches' APR Portfolio Web Site has been fully implemented. The Head Coaches' Dashboard could include the academic profile of entering student-athletes by recruiting class; the head coach's single-year APR, eligibility and retention rates and the number of "0/2" student-athletes; and the head coach's APP penalty history by year, including any contemporaneous or historical penalties.

2. Examination of the APP. In light of the collection of the sixth year of APR data and the imposition of the fifth year of APP penalties, the committee began an extensive, yearlong review of the APP and identified key research issues and questions related to the program review. Over the next several meetings, the committee will review the historical, current and future APR distributions; the impact of the current penalty benchmarks and their connection to projected graduation rates; the historical and current impacts of the historical penalty review factors; and the relationship between a team's penalty status and APR improvement.

NCAA research indicates the number of squads with multiyear APRs below 925 and 900 has decreased significantly since the first year of APR data collection. The committee noted this phenomenon may be attributed to true academic improvement and to changes to the APR calculation since 2003-04 (i.e., professional departure adjustments, opportunities to earn delayed-graduation points, and automatic adjustments for student-athletes who transfer and meet specified criteria). Further, research indicated that the changes to the APR calculation combined with sustained academic improvement

ultimately will leave a small number of teams below the penalty benchmarks. The various changes to the APR calculation also have made it difficult to establish a sustained numerical translation between APR and GSR. In the committee's examination of the review factors for historical penalties, it was determined that very few teams are meeting two of the review factors (i.e., institutional characteristics and within sport comparison). Lastly, the committee reviewed data that demonstrated a statistically significant relationship between receipt of APP penalties and single-year APR improvement. Given these findings, the committee will focus on the following questions during its review of the APP:

a. Are the original goals of the APP being achieved through the current system of measurements, penalties and public recognition?

b. Are the current APR penalty benchmarks useful in motivating improved academic performance?

c. Is the current system of penalty filters and waiver directives working as intended?

3. NCAA Division I Academic Performance Program Supplemental Support Fund (SSF). The committee received a report regarding the SSF, which is available for new or enhanced programs developed to support student-athlete academic performance and for professional development opportunities for individuals providing academic support services to student-athletes. Thirty-three limited-resource institutions are eligible to apply for funding support during the 2009-10 academic year. Institutions that received funds in prior years are required to report on the use of funds; however, it is premature to measure the impact of the funds at this time. The SSF currently is being integrated into other outreach efforts led by the NCAA educational affairs staff and a one-day professional development workshop will be conducted December 1 for representatives of all SSF-eligible institutions. Lastly, the committee began initial considerations regarding a possible extension of the program, which currently is scheduled to end after the 2009-10 academic year.

4. Partial Staff Approval of Occasion-Three Historical Penalty Waivers. The committee finalized procedures for the staff to provide a partial approval or partial-conditional approval of an Occasion-Three Historical Penalty waiver. Specifically, the staff will make decisions and provide periodic reports of the teams that were granted partial relief of Occasion-Three Historical Penalties. The committee may not reverse the staff decisions, but will provide feedback and direction for future cases after receiving the periodic reports. This process will ensure consistent application of relief for all teams subject to Occasion-Three Historical Penalties during the same academic year, while maintaining the committee's oversight of Occasion-Three Historical Penalty waivers.

5. **Occasion-Four Historical Penalties.** The committee continued its discussion regarding the current application of Occasion-Four Historical Penalties and noted that Occasion-Four Historical Penalties were intended to be the most significant motivation for improved academic performance. The committee noted that consideration of Occasion-Four Historical Penalties should be included in its broader review of the APP penalty structure.

6. **Review of Occasion-Three and -Four Historical Penalty Appeals Remanded Back to the Committee by the NCAA Division I Board of Directors Academic Performance Program Historical Penalties Appeals Subcommittee.** The committee revised its policies and procedures to include the consideration of cases that are remanded back to the committee by the APP Historical Appeals Board Subcommittee following an appeal of the committee's original decision. The committee will examine such cases through a submission of documentation from the involved institution, the NCAA staff and the APP Historical Appeals Board Subcommittee, and its review of a remanded case will occur via the best means (e.g., teleconference, videoconference, in-person meetings) for expeditiously completing the review. Institutional representatives shall not be present for or participate in this review by the committee, other than by providing documents as noted.

7. **Appeals of Failures to meet Occasion-Three and -Four Historical Penalty Waiver Conditions.** The committee amended its policies and procedures to finalize the process for reviewing appeals from teams that do not fulfill the conditions of conditionally approved Occasion-Three or -Four Historical Penalty waivers. If a conditional waiver is not satisfied and relief is not provided by the committee, an institution must impose the resulting penalties in the academic year following the denial of the appeal (i.e., appeals denied in 2009-10 result in the imposition of penalties in 2010-11).

8. **Granting Permission to Contact under NCAA Bylaw 13.1.1.3.4.** The committee approved amendments to its policies and procedures regarding granting institutions permission to contact student-athletes on a team subject to a postseason competition restriction due to an APP penalty. Bylaw 13.1.1.3.4 requires that in order to provide permission to contact, the APP penalty must preclude the student-athlete's team from participating in postseason competition during all remaining seasons of the student-athlete's eligibility. To this end, only remaining seasons of eligibility will be considered and the amount of time remaining on the student-athlete's "five-year clock" will not be a factor. Further, the decision to provide permission to contact will be made by the committee during the penalty waiver process. The committee's decision will be communicated to the penalized institution once all appeal opportunities have been

exhausted and the penalized institution shall notify the involved student-athletes if permission to be contacted was granted. Student-athletes shall be informed that receiving permission to be contacted does not guarantee that a waiver of the transfer residence requirement will be approved; further, the student-athlete still must meet all eligibility requirements at his or her new institution. In general, permission to be contacted will not be provided to a student-athlete who has contributed to the team's underperformance on the APR; therefore, the committee generally will not grant permission to be contacted to a student-athlete who has lost one or more eligibility or retention points during his or her career. Even so, this does not preclude an institution from granting permission to contact one of its student-athletes at any time.

9. Staff Guidelines for Processing Requests to Waive the Transfer Year of Residence per Bylaw 14.8.2-(e). The committee discussed the process for the review of requests to waive the transfer year of residence for a student-athlete who transfers when his or her team is subject to a restriction on postseason competition due to APP historical penalties, as provided in Bylaw 14.8.2-(e). The NCAA Division I Legislative Council Subcommittee for Legislative Relief has the authority to waive the transfer year of residence and related requests may be initiated only by a member institution through the Subcommittee for Legislative Relief's existing procedures. The staff supporting the Subcommittee for Legislative Relief will process the case, as with all requests to waive the academic year of residence. However, when the rationale for the request cites a postseason competition restriction due to APP penalties, a member of the APP penalty waiver staff also will review the request to verify that it includes all information outlined in the committee's principles for such cases. The staff or the NCAA Division I Committee on Academic Performance Subcommittee on Appeals will review the case and will make a recommendation to the Subcommittee for Legislative Relief, who will decide the case in accordance with its normal policies. The applicant and penalized institutions will be notified of the decision by the staff supporting the Subcommittee for Legislative Relief and any appeals of the initial decision will be handled in accordance with the Subcommittee for Legislative Relief's policies and procedures. Finally, the staff will provide an annual report of all such requests and decisions to the committee.

10. Report of Occasion-Two Historical Penalties Taken in 2008-09. The Subcommittee on Appeals reviewed a report of the Occasion-Two Historical Penalties taken in the 2008-09 academic year, which was the first year that any team was required to impose such sanctions. Institutions are required to provide to the national office documentation that the penalty was imposed. Twenty of 24 teams presented acceptable information, while two teams have been discontinued and two teams were asked to submit additional

information to verify the correct application of the penalties. The subcommittee also noted several observations from the first year of reporting and recommended changes to the reporting process for penalties imposed in the 2009-10 academic year. Specifically, in next year's reports the squad lists submitted to document appropriate application of financial aid penalties must include the signatures required by the NCAA squad list form. In addition, the narrative describing how practice time was replaced with academic time must be completed by an academic support staff member at the institution.

11. **Annual Release of GSR and Federal Graduation Rate Information.** The committee reviewed preliminary GSR and Federal Graduation Rate data to be released November 18, 2009. This release will include the GSR and the Federal Graduation Rate data for the 1999-2002 cohort. As with last year's release, the NCAA will announce the team and overall GSR and Federal Graduation Rate at the same time.

12. **Fall 2009 APR and APC Data Collection Process.** The NCAA Division I Committee on Academic Performance Subcommittee on Data Collection and Reporting received a progress report on the APP data collection process for submission of 2008-09 APR data. It is anticipated that the submission of APR data will conclude November 2009.

13. **APP Data Reviews.** The Subcommittee on Data Collection and Reporting received a status report regarding the progress of the 25 institutions selected to have their APP data reviewed during the 2009-10 academic year. These data are being reviewed for the accuracy of the eligibility, graduation and retention submissions in the APP data collection system for the academic years of 2005-06, 2006-07 and 2007-08. The subcommittee also received a progress report regarding the five institutions being reviewed for the accuracy of the GSR data entered in the APP data collection system for the 2002-03 cohort. The staff also informed the subcommittee of the completion of the data review for one institution from the 2008-09 data review class. It is anticipated that all data reviews will be completed not later than December 1, 2009.

14. **Student-Athlete Academic Suspensions.** The Subcommittee on Data Collection and Reporting considered whether to award the APR eligibility point when a student-athlete is suspended for academic reasons (e.g., cheating, plagiarism). More specifically, the subcommittee reviewed an interpretation issued by the NCAA academic and membership affairs staff, which states that in order to receive athletically related financial aid, a transfer student-athlete must have been academically eligible to compete during the next regular academic term had he or she remained at the previous institution. This eligibility

determination shall include all academic elements of eligibility (e.g., NCAA progress-toward-degree requirements, conference academic requirements, institutional good academic standing), including a suspension related to any academic offense. The subcommittee confirmed the application of the staff's interpretation with regard to the awarding of the "E" point in order to maintain consistency between the criteria to earn the APR eligibility point and the criteria to be "academically eligible" to receive athletics aid on transfer to another Division I institution. Further, this would be consistent with the committee's original intent and ongoing practice of aligning all academic factors within the consideration of the APR eligibility point.

15. APP Penalties and APP Data Reviews. The Subcommittee on Data Collection and Reporting discussed potential actions that may be taken when it is determined that an institution selected for data review was not subject to APP penalties as a result of errors the institution made in recording its APR data. The subcommittee agreed to continue its consideration of the appropriate measures to be taken under such circumstances at the next in-person meeting.

16. Consideration of Student-Assistant Coaches within the APP. The Subcommittee on Data Collection and Reporting reviewed the status of student-assistant coaches within the APR cohort in light of NCAA Division I Proposal No. 2009-12-A (personnel -- definitions and applications -- undergraduate student-assistant coach) and Proposal No. 2009-12-B (personnel -- definitions and applications -- student-assistant coach -- five-year eligibility period). Currently, the APR cohort includes any student-athlete who is receiving athletics aid, or who was recruited and is a full-time student, except those student-athletes who have exhausted eligibility and graduated or who have exhausted eligibility and are enrolled beyond five years of actual full-time enrollment. The subcommittee agreed to include student-assistant coaches in the APR cohort as long as they meet the current cohort guidelines. The subcommittee noted that undergraduate student-assistant coaches have yet to graduate and therefore, institutions should be held accountable for their academic performance and graduation. Lastly, the subcommittee noted the APR adjustment process is available to consider any unique circumstances that impact a student-assistant coach's ability to earn APR points.

17. Data Submission Requirements for Teams and Institutions Transitioning from Division I. The Subcommittee on Data Collection and Reporting began to re-examine its policies regarding requirements for all facets of the APP for institutions and/or teams that transition from Division I. Specifically, the subcommittee considered which APP data

submission requirements these institutions should meet and how APP penalties should apply in these specific situations. The subcommittee noted that during the last several months, the staff has been notified of one institution that is transitioning its entire athletics program from Division I and another institution that has decided to no longer pursue Division I membership and will return to Division II. It also was noted that this issue presents unique circumstances that were not contemplated by the committee during the development of its current policies. The subcommittee agreed to take no action at this time and will continue its consideration at the next in-person meeting.

18. NCAA Division I Academic Cabinet Update. The committee received an update regarding the September 2009 Academic Cabinet meeting, specifically noting the cabinet's review of the division's initial-eligibility requirements, a recently completed survey regarding academic support services for student-athletes and progress in the development of the Facilitating Learning and Achieving Graduation (FLAG) program. The committee will work in conjunction with the Academic Cabinet to review the initial-eligibility and two-year college transfer student-athlete standards, culminating with a joint meeting in June 2010 to formulate recommendations on these issues.

Committee Chair: Walter Harrison, University of Hartford, America East Conference
Staff Liaisons: Julie Cromer, Academic and Membership Affairs
Diane Dickman, Academic and Membership Affairs
Kevin Lennon, Academic and Membership Affairs
Todd Petr, Research
Bill Regan, Academic and Membership Affairs

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October 1, 2009

Dr. James Barker, Chair
NCAA Division I Board of Directors
P.O. Box 6222
Indianapolis, Indiana 46206-6222

Dear President Barker:

During meetings held in Chicago on September 23 and 24, the Collegiate Commissioners Association (CCA) reviewed information and visited with selected NCAA staff members regarding current issues in men's basketball recruiting.

The CCA's dialogue on these issues included NCAA Vice-President for Enforcement David Price, NCAA Vice-President for Academic and Membership Affairs Kevin Lennon, NCAA Division I Vice-President David Berst, NCAA Associate Director of Enforcement/Basketball Focus Group Member LuAnn Humphrey and NCAA Director of Enforcement Julie Roe. The NCAA staff was thorough in their presentation and use of a video conference allowed commissioners to engage in discussion related to the current recruiting culture in men's basketball and the impact of the NCAA staff's regulatory recommendations.

Please be advised that the thirty three Division I conference commissioners voted unanimously to support the interpretive and legislative recommendations developed jointly by the NCAA's Basketball Focus Group and Academic Membership Affairs Group. As president of the CCA, I have been asked to communicate directly with you to express this strong support of the proposed solutions to recruiting issues in men's basketball by my colleagues. The CCA believes that this is one of the most critical issues facing the sport of men's basketball and trust you will share our support of these initiatives with the NCAA Board of Directors at your meeting later this month.

Please contact me should you have any questions related to the CCA's consideration of these important issues.

Sincerely,

Karl Benson
President, Collegiate Commissioners Association
Commissioner, Western Athletic Conference

cc: NCAA Division I Conference Commissioners
Selected NCAA Staff
Greg Sankey, CCA Secretary/Treasurer

Legislative Proposals related to the Men's Basketball Academic Enhancement Group

Proposal Number: 2009-

Title: ELIGIBILITY, FINANCIAL AID AND PLAYING AND PRACTICE SEASONS -- SUMMER ACADEMIC PREPARATION AND COLLEGE ACCLIMATIZATION -- MEN'S BASKETBALL

Intent: In men's basketball, to establish a summer academic preparation and college acclimatization model, as specified.

A. Constitution: Amend 3.2.4, as follows:

3.2.4 Conditions and Obligations of Membership.

[3.2.4.1 through 3.2.4.16 unchanged.]

3.2.4.17 Academic Assessment -- Men's Basketball.

3.2.4.17.1 Assessment of Student-Athletes Receiving Athletically Related Financial Aid. In men's basketball, an active member shall assess all incoming student-athletes (including transfer student-athletes) who have signed the institution's written offer of athletically related financial aid for the following academic year to identify those that require enrollment in summer school prior to initial full-time enrollment at the certifying institution. The assessment shall be based on criteria defined by the institution and shall include an assessment of learning skills. In following years, the institution shall re-evaluate all continuing student-athletes who will receive athletically related financial aid in the following academic year using institutionally defined criteria to identify student-athletes who should be encouraged to enroll in summer school. (See Bylaws 15.2.8.1.2.5 and 15.2.8.1.4.1.)

3.2.4.17.1 Exception -- No Summer Session. An institution that does not offer summer session classes is not required to assess incoming or continuing student-athletes.

3.2.4.17.2 Assessment of Student-Athletes Attending Institutions That Do Not Award Athletics Aid or Awards Only Need-Based Athletics Aid. In men's basketball, an institution that does not award athletically related financial aid or an institution that awards athletically related financial aid based solely on demonstrated financial need, as determined for all students by the institution's financial aid office using methodologies that conform to federal, state and written institutional guidelines (including institutional financial aid that is considered athletically related financial aid based on the intervention

of athletics department staff), shall assess all recruited incoming student-athletes (including transfer student-athletes) in order to identify those that require enrollment in summer school prior to initial full-time enrollment at the certifying institution and in order to conduct athletics development activities pursuant to Bylaw 17.1.6.2.1.1.3. The assessment shall be based on criteria defined by the institution and shall include an assessment of learning skills. In following years, the institution shall re-evaluate all continuing recruited student-athletes using institutionally defined criteria to identify student-athletes who should be encouraged to enroll in summer school. (See Bylaws 15.2.8.1.2.5 and 15.2.8.1.4.1.)

3.2.4.17.1 Exception -- No Summer Session. An institution that does not offer summer session classes is not required to assess incoming or continuing student-athletes.

B. Bylaws: Amend 13.02.11, as follows:

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

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

[13.02.11.1 through 13.02.11.2 unchanged.]

13.02.11.3 Exception -- Men's Basketball. In men's basketball, a recruited prospective student-athlete (including a transfer student-athlete) who has signed the institution's written offer of financial aid for the following academic year shall be considered a student-athlete at the point in which he attends a class for which he is registered and enrolled in the institution's summer term prior to his initial full-time enrollment at the institution.

C. Bylaws: Amend 14.4.3, as follows:

14.4.3 Eligibility for Competition.

14.4.3.1 Fulfillment of Credit-Hour Requirements. Eligibility for competition shall be determined based on satisfactory completion of at least:

[14.4.3.1-(a) through 14.4.3.1-(c) unchanged.]

[14.4.3.1.1 through 14.4.3.1.2 unchanged.]

14.4.3.1.3 Summer School Requirements -- Men's Basketball. In men's basketball, an incoming student-athlete (including a transfer student-athlete) who attends summer school prior to initial full-time enrollment at the certifying institution and engages in summer athletics development activities (see Bylaw 17.1.6.2.1.1.3) shall successfully complete a minimum of three credit hours of acceptable degree credit (other than physical education activity courses) toward any of the institution's degree programs in order to be eligible to compete in his first regular term of full-time enrollment. Remedial, tutorial and noncredit courses may be used to satisfy this requirement, provided the courses are considered by the institution to be prerequisites for specific courses acceptable for any degree program and are given the same academic weight as other courses offered by the institution. A continuing student-athlete who attends summer school and who engages in summer athletics development activities (see Bylaw 17.1.6.2.1.1.3) shall successfully complete a minimum of six credit hours in order to be eligible to compete in the first term of the following academic year.

D. Bylaws: Amend 15.2.8, as follows:

15.2.8 Summer Financial Aid. Summer financial aid may be awarded only to attend the awarding institution's summer term, summer school or summer-orientation program, provided the following conditions are met:

[15.2.8-(a) through 15.2.8-(c) unchanged.]

15.2.8.1 General Stipulations. A student-athlete who is eligible for institutional financial aid during the summer is not required to be enrolled in a minimum full-time program of studies. However, the student-athlete may not receive financial aid that exceeds the cost of attendance in that summer term. A student-athlete may receive institutional financial aid based on athletics ability (per Bylaw 15.02.4.1), outside financial aid for which athletics participation is a major criterion (per Bylaw 15.2.6.4) and educational expenses awarded (per Bylaw 15.2.6.5) up to the value of a full grant-in-aid, plus any other financial aid unrelated to athletics ability up to cost of attendance. (See Bylaws 15.01.6.1, 15.01.6.2, 16.3, 16.4 and 16.12.)

[15.2.8.1.1 unchanged.]

15.2.8.1.2 Enrolled Student-Athletes. After initial full-time enrollment during a regular academic year, a student-athlete shall not receive athletically related financial aid to attend the certifying institution's summer term or summer school

unless the student-athlete received such athletically related aid from the certifying institution during the student-athlete's previous academic year at that institution. Further, such aid may be awarded only in proportion to the amount of athletically related financial aid received by the student-athlete during the student-athlete's previous academic year at the certifying institution, except that this proportionality restriction shall not apply to a student-athlete who has exhausted his or her eligibility and is enrolled in a summer program of studies that will permit the student-athlete to complete his or her degree requirements.

[15.2.8.1.2.1 through 15.2.8.1.2.4 unchanged.]

15.2.8.1.2.5 Required Financial Aid -- Men's Basketball. Each year, the institution shall assess all continuing men's basketball student-athletes using institutionally defined criteria to identify those who should attend summer school. Student-athletes who are not on schedule to graduate in five years from initial full-time enrollment shall be strongly encouraged to attend summer school. The institution shall provide a full athletics grant-in-aid to a student-athlete who is identified through the assessment and chooses to attend, provided he is enrolled in a minimum of six credit hours.

15.2.8.1.2.5.1 Exception -- No Athletically Related Aid or Need-Based Athletically Related Aid. An institution that does not award athletically related financial aid or an institution that awards athletically related financial aid based solely on demonstrated financial need, as determined for all students by the institution's financial aid office using methodologies that conform to federal, state and written institutional guidelines (including institutional financial aid that is considered athletically related financial aid based on the intervention of athletics department staff), is not required to award athletically related financial aid to student-athletes who attend summer school.

[15.2.8.1.3 unchanged.]

15.2.8.1.4 Prior to Initial, Full-Time Enrollment at the Certifying Institution -- Athletics Aid. The following conditions apply to the awarding of athletically related financial aid to a prospective student-athlete (including a prospective student-athlete not certified by the NCAA Eligibility Center as a qualifier) to attend an institution in the summer prior to the prospective student's initial, full-time enrollment at the certifying institution (see also Bylaw 13.02.11.1):

[15.2.8.1.4-(a) through 15.2.8.1.4-(e) unchanged.]

15.2.8.1.4.1 Required Financial Aid -- Men's Basketball. In men's basketball, a student-athlete who is required to attend summer school based on the institution's academic assessment (see Constitution 3.2.4.17) shall receive a full athletics grant-in-aid. Such a student-athlete shall enroll in a minimum of six credit hours (other than physical education activity courses) of acceptable degree credit toward any of the institution's degree programs and shall receive learning skills education. Remedial, tutorial and noncredit courses may be used to satisfy this requirement, provided the courses are considered by the institution to be prerequisites for specific courses acceptable for any degree program and are given the same academic weight as other courses offered by the institution;

15.2.8.1.4.2.1 Exception -- No Athletically Related Aid or Need-Based Athletically Related Aid. An institution that does not award athletically related financial aid or an institution that awards athletically related financial aid based solely on demonstrated financial need, as determined for all students by the institution's financial aid office using methodologies that conform to federal, state and written institutional guidelines (including institutional financial aid that is considered athletically related financial aid based on the intervention of athletics department staff), is not required to award athletically related financial aid to student-athletes who attend summer school.

E. Bylaws: Amend 17.1.6.2.1, as follows:

17.1.6.2.1 Institutional Vacation Period and Summer.

17.1.6.2.1.1 Sports Other than Championship Subdivision Football. In sports other than championship subdivision football, a student-athlete may not participate in any countable athletically related activities outside the playing season during any institutional vacation period and/or summer. Strength and conditioning coaches who are not countable coaches and who perform such duties on a department-wide basis may design and conduct specific workout programs for student-athletes, provided such workouts are voluntary and conducted at the request of the student-athlete.

[17.1.6.2.1.1.1 through 17.1.6.2.1.1.2 unchanged.]

17.1.6.2.1.1.3 Athletics Development Activities -- Men's Basketball. In men's basketball, an institution may designate a consecutive eight-week period

during the summer during which incoming and continuing student-athletes who are enrolled in a minimum of six credit hours in summer school may engage in required weight-training, conditioning and skill-related instruction. A student-athlete's participation in such activities per Bylaw 17.02.1 shall be limited to a maximum of eight hours per week with not more than two hours per week spent on skill-related workouts.

17.1.6.2.1.1.3.1 No Athletically Related Aid or Need-Based Athletically Related Aid. A student-athlete who attends an institution that does not award athletically related financial aid or an institution that awards athletically related financial aid based solely on demonstrated financial need, as determined for all students by the institution's financial aid office using methodologies that conform to federal, state and written institutional guidelines (including institutional financial aid that is considered athletically related financial aid based on the intervention of athletics department staff), may participate in athletics development activities pursuant to Bylaw 17.1.6.2.1.1.3, provided the institution awards any institutional financial aid (e.g., need-based aid) for which the student-athlete qualifies.

[17.1.6.2.1.2 unchanged.]

Source: NCAA Division I Men's Basketball Academic Enhancement Group

Effective Date: August 1, 2010

Proposal Category: Amendment

Topical Area: Eligibility, Financial Aid and Playing and Practice Seasons

Rationale: Data indicates that student-athletes who undergo early institutional academic and learning assessments and receive the necessary additional academic support or attend additional summer school sessions are more likely to graduate within a five-year period. Further, both academically at-risk and high achieving student-athletes who enroll in summer school, particularly early in their academic careers, tend to experience enhanced academic success during their collegiate enrollment. This proposal recognizes the importance of the accrued academic benefits of summer school attendance and that retention problems drive a low Academic Progress Rate. The development of an institutional connection is a critically important factor in retaining students. Summer bridge programs have been shown to be particularly effective in this regard. Given the critical importance of the relationship between coach and student-athlete, it is fair to consider that enhancing that relationship will also enhance the connection that a student-athlete feels toward the institution. This proposal will provide

opportunities for both academic and athletic improvement, which will, in turn, contribute to greater retention of student-athletes. Allowing limited athletically related activities in a structured environment will not significantly impact competitive equity, but it will prove beneficial in establishing stronger relationships and enhancing the student-athlete's bond to the institution. (For more information, please see the final report of the Division I Men's Basketball Academic Enhancement Group.)

Budget Impact: Will vary among institutions.

Impact on S-A's Time: Minimal as compared to the current model.

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Proposal Number: 2009-

Title: RECRUITING -- OFFICIAL VISIT -- TRANSPORTATION EXPENSES FOR PARENTS OR LEGAL GUARDIANS -- MEN'S BASKETBALL

Intent: In men's basketball, to permit an institution to pay actual round-trip transportation costs for a prospective student-athlete's parents or legal guardians to accompany the prospective student-athlete on the official visit; further, to permit an institution to pay actual costs for meals and lodging for a prospective student-athlete's parents or legal guardians incurred while traveling to and from campus for the official visit.

A. Bylaws: Amend 13.5.2, as follows:

13.5.2 Transportation on Official Paid Visit.

13.5.2.1 General Restrictions. A member institution may pay the prospective student-athlete's actual round-trip transportation costs for his or her official visit to its campus from any location, provided the prospective student-athlete returns to the original point of departure, or if return transportation is provided to the prospective student-athlete's home, educational institution or site of competition, the cost does not exceed round-trip expenses from the prospective student-athlete's original point of departure. Use of a limousine or helicopter for such transportation is prohibited.

13.5.2.1.1 Transportation for Parents or Legal Guardians -- Men's Basketball. In men's basketball, an institution may pay actual round-trip transportation costs for a prospective student-athlete's parents or legal guardians to accompany the prospective student-athlete on the official visit.

13.5.2.2 Automobile Transportation. When a prospective student-athlete travels by automobile on an official paid visit, the institution may pay round-trip expenses to the individual incurring the expense (except the prospective student-athlete's coach as set forth in Bylaw 13.8.1.1) at the same mileage rate it allows its own personnel. Any automobile may be used by the prospective student-athlete, provided the automobile is not owned or operated or its use arranged by the institution or any representative of its athletics interests.

13.5.2.2.1 Prospective Student-Athlete's Friends and Relatives. A prospective student-athlete's friends, relatives or legal guardians may receive cost-free transportation to visit a member institution's campus only by accompanying the prospective student-athlete at the time the prospective student-athlete travels in an automobile to visit the campus.

13.5.2.2.1.1 Exception -- Men's Basketball. In men's basketball, an institution may pay actual round-trip transportation costs for a prospective student-athlete's parents or legal guardians to accompany the prospective student-athlete on the official visit.

[13.5.2.2.2 through 13.5.2.2.4 unchanged.]

13.5.2.3 Air Transportation. An institution providing air transportation to a prospective student-athlete **(and, in men's basketball, to his or her parents or legal guardians)** to and from an official campus visit must use commercial transportation at coach-class airfare. Coaching staff members shall not accompany a prospective student-athlete to or from an official visit when air travel is used, except as permitted in Bylaw 13.5.2.4.

[13.5.2.4 through 13.5.2.5 unchanged.]

13.5.2.6 Transportation of Prospective Student-Athlete's Relatives, Friends or Legal Guardians. An institution shall not permit its athletics department staff members or representatives of its athletics interests to pay, provide or arrange for the payment of transportation costs incurred by relatives, friends or legal guardians of a prospective student-athlete to visit the campus or elsewhere; however, an institution may:

[13.5.2.6-(a) through 13.5.2.6-(c) unchanged.]

13.5.2.6.1 Exception -- Men's Basketball. In men's basketball, an institution may pay actual round-trip transportation costs for a prospective student-athlete's parents or legal guardians to accompany the prospective student-athlete on the official visit.

[13.5.2.7 unchanged.]

B. Bylaws: Amend 13.6.7.1.1, as follows:

13.6.7.1.1 Meals and Lodging While in Transit. It is permissible for an institution to pay a prospective student-athlete's **(and, in men's basketball, his or her parents' or legal guardians')** actual costs for reasonable expenses (e.g., meals, lodging) incurred while traveling to and from campus on the official visit.

Source: NCAA Division I Men's Basketball Academic Enhancement Group

Effective Date: August 1, 2010

Proposal Category: Amendment

Topical Area: Recruiting

Rationale: Providing travel expenses to the parents of men's basketball prospective student-athletes for official visits will ensure that coaches have greater opportunities to develop a relationship with the parents, provide an avenue to emphasize the importance of education/academics, and provide greater insight into the family background that may assist coaches in making more sound decisions in the recruiting process.

Budget Impact: Travel expenses for parents of up to 12 prospective student-athletes annually.

Impact on S-A's Time: None.

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Proposal Number: 2009-

Title: PLAYING AND PRACTICE SEASONS -- PLAYING AND PRACTICE SEASON MODEL -- MEN'S BASKETBALL

Intent: In men's basketball, to establish a playing and practice season model, as specified.

A. Constitution: Amend 3.2.4.14, as follows:

3.2.4.14 Missed Class-Time Policies. Active members are obligated to establish policies in all sports concerning student-athletes' missed class time due to participation in intercollegiate athletics and in athletics competition scheduled during final examination periods (see Bylaw 17.1.6.6.1). **In men's basketball, an institution's athletics participation schedule, which shall include the anticipated amount of missed class time due to athletics participation, shall be approved by the institution's faculty athletics representative or faculty oversight committee prior to the beginning of each regular academic term.**

B. Bylaws: Amend 16.8.1.2.1, as follows:

16.8.1.2.1 Departure/Return Expense Restrictions. An eligible student-athlete may receive actual and necessary travel expenses to represent the institution in athletics competition, provided the student-athlete departs for the competition no earlier than 48 hours prior to the start of the actual competition and remains no more than 36 hours **(24 hours in men's basketball)** following the conclusion of the actual competition even if the student-athlete does not return with the team.

C. Bylaws: Amend 17.3 as follows:

17.3 BASKETBALL

Regulations for computing the basketball playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.3.1 unchanged.]

17.3.2 Preseason Practice -- Men's Basketball.

> **17.3.2.1 Permissible Conditioning Activities. Team conditioning or physical-fitness activities supervised by coaching staff members may be conducted on or off court but shall not begin prior to the beginning of the institution's academic year in accordance with Bylaw 17.1.6.2. Such activities shall be limited to eight hours per week.**

17.3.2.2 On-Court Practice. An institution shall not commence on-court preseason basketball practice sessions prior to October 1 (see Figure 17-2). Beginning October 1 (regardless of the day of the week), student-athletes are permitted to participate in on-court activities, as follows:

(a) October 1 through October 7: Countable athletically related activities shall be limited to eight hours. Not more than four hours may be spent in on-court practice activities. Remaining hours shall be limited to participation in required weight-training, conditioning and skill-related instruction, with not more than two hours spent on skill-related workouts. All countable athletically related activities shall be prohibited during two calendar days during this period.

(b) October 8 through October 14: Countable athletically-related activities shall be limited to 12 hours. Not more than eight hours shall be spent in on-court practice activities. Remaining hours shall be limited to participation in required weight-training, conditioning and skill-related instruction, with not more than two hours spent on skill-related workouts. All countable athletically related activities shall be prohibited during two calendar days per week.

(c) Beginning October 15, on-court practice activities may be conducted in accordance with the restrictions on the regular playing season (see Bylaw 17.1.6.1).

17.3.2.2.1 Prohibited Activities. Prior to the start of on-court preseason basketball practice per Bylaw 17.3.2, members of the institution's coaching staff may not be involved with one or more team members at any location in any of the following activities except as permitted in Bylaws 17.1.6.2.2 and 17.3.7:

(a) Setting up offensive or defensive alignments;

(b) Chalk talks;

(c) Discussions of game strategy;

(d) Reviewing game films or videotapes;

(e) Activities using basketball equipment; or

(f) Observing student-athletes in any basketball activities even if such activities are not arranged by the institution's coach.

17.3.2.2.1.1 Exception -- Team Promotional Activities. Team promotional activities (e.g., autograph sessions, fan picture sessions, meeting with fans) per Bylaw 12.5.1 are permissible prior to the start of on-court preseason basketball practice per Bylaw 17.3.2, provided these promotional arrangements do not involve any of the practice activities prohibited under the provisions of Bylaw 17.3.2.2.1.

17.3.2.2.1.2 Exception -- Officiating Clinic. Prior to the start of on-court preseason basketball practice per Bylaw 17.3.2, student-athletes may observe an officiating clinic related to playing rules that is conducted by video conference, provided no student-athlete misses class time to observe the clinic.

17.3.~~2~~**3** Preseason Practice -- On-Court Practice **– Women's Basketball**. ~~A~~ **In women's basketball, a** member institution shall not commence on-court preseason basketball practice sessions prior to 5 p.m. on the Friday nearest October 15 (see Figure 17-2).

[17.3.2.1 through 17.3.2.2 renumbered as 17.3.3.1 through 17.3.3.2, unchanged.]

[17.3.3 through 17.3.4 renumbered as 17.3.4 through 17.3.5, unchanged.]

17.3.~~5~~**6** Number of Contests.

17.3.~~5~~**6**.1 Maximum Limitations - Institutional.

17.3.6.1.1 Men's Basketball. An institution shall limit its total regular-season playing schedule with outside competition in men's basketball during the playing season to one of the following (except for those contests excluded under Bylaw 17.3.6.3);

(a) 26 contests (games or scrimmages) and one qualifying regular-season multiple team event per Bylaw 17.3.6.1.3; or

(b) 28 contests (games or scrimmages) during a playing season in which the institution does not participate in a qualifying regular-season multiple team event.

17.3.6.1.2 Women's Basketball. An institution shall limit its total regular-season playing schedule with outside competition in women's basketball during the playing season to one of the following (except for those contests excluded under Bylaw 17.3.~~5~~**6**.3):

(a) 27 contests (games or scrimmages) and One qualifying regular-season multiple team event per Bylaw 17.3.~~5~~**6**.1.~~1~~**3**; or

(b) 29 contests (games or scrimmages) during a playing season in which the institution does not participate in a qualifying regular-season multiple team event.

[17.3.5.1.1 through 17.3.5.1.2 renumbered as 17.3.6.1.3 through 17.3.6.1.4, unchanged.]

[17.3.5.2 through 17.3.5.4 renumbered as 17.3.6.2 through 17.3.6.4, unchanged.]

[17.3.6 through 17.3.8 renumbered as 17.3.7 through 17.3.9 unchanged.]

Source: NCAA Division I Men's Basketball Academic Enhancement Group

Effective Date: August 1, 2010 (Contracts signed before 8/6/09 that cause noncompliance with the maximum contests limitation may be honored.)

Proposal Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: The proposed playing and practice season model provides for a slight reduction in the current maximum number of games, a staggered schedule for the start of team practice to acclimate student-athletes and other legislative modifications designed to minimize missed class time during the season. The implementation of this basic scheduling philosophy will reduce missed class time during the playing season and promote better academic performance for men's basketball student-athletes. Further, permitting institutions to use a staggered schedule for the start of team practice, beginning October 1, will allow freshman student-athletes more time to become acclimated to college life and for further development of the relationships between coaches and student-athletes to occur prior to the beginning of the traditional on-court team practice time.

Budget Impact: Potential reduction in institutional travel or game management budgets. Potential reduction in guarantees paid and received.

Impact on S-A's Time: Reduction of one contest. Intended reduction to missed class time.

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Proposal Number: 2009-

Title: FINANCIAL AID -- COUNTERS -- AID AFTER DEPARTURE OF HEAD COACH -- NONCOUNTER -- MEN'S BASKETBALL

Intent: In men's basketball, to specify that a student-athlete who receives athletically related institutional financial aid in academic years following the departure of a head coach from the institution is not a counter, provided: (a) The student-athlete participated in basketball and received athletically related institutional financial aid during the coach's tenure at the institution; and (b) The student-athlete does not participate in basketball during the later academic years at the institution; further, to specify that if the student-athlete later participates in basketball at the institution, the student-athlete shall become a counter for all years during which athletically related institutional aid was received.

Bylaws: Amend 15.5.1, as follows:

15.5.1 Counters. A student-athlete shall be a counter and included in the maximum awards limitations set forth in this bylaw under the following conditions:

[15.5.1-(a) through 15.5.1-(c) unchanged.]

[15.5.1.1 through 15.5.1.6 unchanged.]

15.5.1.7 Aid after Departure of Head Coach -- Men's Basketball. In men's basketball, a student-athlete who receives athletically related institutional financial aid in later academic years following the departure of a head coach from the institution is not a counter, provided:

(a) The student-athlete participated in basketball and received athletically related institutional financial aid during the coach's tenure at the institution; and

(b) The student-athlete does not participate in basketball during the later academic years at the institution.

15.5.1.7.1 Later Participation. If the student-athlete later participates in basketball at the institution, the student-athlete shall become a counter for all years during which athletically related institutional aid was received.

[15.5.1.7 through 15.5.1.9 renumbered as 15.5.1.8 through 15.5.1.10, unchanged.]

Source: NCAA Division I Men's Basketball Academic Enhancement Group

Effective Date: August 1, 2010

Proposal Category: Amendment

Topical Area: Financial Aid

Rationale: This legislative change would provide additional flexibility to men's basketball student-athletes when their head coaches leave, particularly for those student-athletes who are in their final two to three semesters of a degree program who may not wish to transfer. Those student-athletes who wish to remain at an institution to complete their degrees will be much more likely to be able to do so if they may continue to receive athletically related financial aid.

Budget Impact: Will vary.

Impact on S-A' Time: None.

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Proposal Number: 2009-

Title: ELIGIBILITY -- TWO-YEAR COLLEGE TRANSFERS -- PHYSICAL EDUCATION ACTIVITY COURSES -- MEN'S BASKETBALL

Intent: In men's basketball, to specify that not more two credit hours of physical education activity courses may be used to fulfill the two-year college transfer requirements; further, to specify that a student-athlete enrolling in a physical education degree program or a degree program in education that requires physical education activity courses may use up to the minimum number of credits of physical education activity courses that are required for the specific degree program to fulfill the two-year college transfer requirements.

Bylaws: Amend 14.5.4, as follows:

14.5.4 Two-Year College Transfers. A student who transfers to a member institution from a two-year college or from a branch school that conducts an intercollegiate athletics program must complete an academic year of residence unless the student meets the following eligibility requirements applicable to the division of which the certifying institution is a member. Further, a transfer student-athlete admitted after the 12th class day may not use that semester or quarter for the purpose of establishing residency.

14.5.4.1 Qualifier. A transfer student from a two-year college who was a qualifier (per Bylaw 14.3.1.1) is eligible for competition in the first academic year in residence only if the student:

[14.5.4.1-(a) through 14.5.4.1-(c) unchanged.]

[14.5.4.1.1 unchanged.]

14.5.4.1.2 Use of Physical Education Activity Courses – Men's Basketball. In men's basketball, not more two credit hours of physical education activity courses may be used to fulfill the two-year college transfer requirements. However, a student-athlete enrolling in a physical education degree program or a degree program in education that requires physical education activity courses may use up to the minimum number of credits of physical education activity courses that are required for the specific degree program to fulfill the two-year college transfer requirements. Additional credit hours of physical education activity courses may not be used to fulfill elective requirements.

14.5.4.2 Not a Qualifier. A transfer student from a two-year college who was not a qualifier (per Bylaw 14.3.1.1) is eligible for institutional financial aid, practice and competition the first academic year in residence only if the student:

[14.5.4.2-(a) through 14.5.4.2-(d) unchanged.]

[14.5.4.2.1 through 14.5.4.2.3 unchanged.]

14.5.4.2.4 Use of Physical Education Activity Courses – Men's Basketball. In men's basketball, not more two credit hours of physical education activity courses may be used to fulfill the two-year college transfer requirements. However, a student-athlete enrolling in a physical education degree program or a degree program in education that requires physical education activity courses may use up to the minimum number of credits of physical education activity courses that are required for the specific degree program to fulfill the two-year college transfer requirements. Additional credit hours of physical education activity courses may not be used to fulfill elective requirements.

[Remainder of 14.5.4 unchanged.]

Source: NCAA Division I Men's Basketball Academic Enhancement Group

Effective Date: August 1, 2010; applicable to two-year college transfer student-athletes who initially enroll in a Division I institution on or after August 1, 2010

Proposal Category: Amendment

Topical Area: Eligibility

Rationale: Current data indicates that two-year college basketball transfers graduate at a lower rate than basketball student-athletes who initially enroll at a four year institution and remain at that institution until graduation. The data also shows that two-year college basketball transfers graduate at a lower rate than their counterparts who transfer from four-year institutions. However, the current data available for review does not include the characteristics of a successful Division I men's basketball two-year college transfer student-athlete. There are specific gaps in current NCAA data, which include a lack of information on the academic preparedness of two-year transfers as they leave high school, and a complete lack of data on the academic experiences of these students at the two-year colleges. Legislation has been adopted to fill these gaps. It is anticipated that such data will assist the NCAA in identifying patterns of course selection at two-year institutions that lead to better academic success once these students transfer to Division I institutions. While that data is being collected, this proposal will assist with addressing the concern regarding the poor academic performance of transfer student-athletes in men's basketball, particularly two-year college transfer student-athletes.

Budget Impact: None.
Impact on S-A' Time: None.

SUMMARY OF COST SAVINGS BYLAW REVIEW DURING SEPTEMBER CABINET MEETINGS

1. Administration Cabinet.

At the request of the Leadership Council, the cabinet engaged in a discussion of possible cost savings measures in legislative areas for which it has been assigned oversight responsibility. The group noted that any such measures ultimately identified and prioritized by the Leadership Council should be mindful of and consistent with the Association's core mission. The cabinet noted the need to balance priorities with cost expenditures. The cabinet recommended that the Leadership Council sponsor a proposal to establish a process for casting override votes on legislative proposals that does not require an institution to be present at the NCAA Convention Division I Business Session. It noted that such a proposal not only would result in reduced costs, but would reflect a more accurate representation of the "one institution/one vote" principle. The cabinet also identified the following additional suggestions for consideration:

a. Conferences, cabinets and committees developing a legislative proposal should produce a "real time" [as opposed to varying or potential] cost impact as part of the proposal's budget implications.

b. Reduction in length of time for in-person cabinet/committee meetings [particularly those that involve student-athletes' missing class time].

c. The necessity for a "cultural shift" of the Division I philosophy in order to engage in successful deregulation efforts that result in cost savings.

2. Amateurism Cabinet.

The cabinet continued its examination of Bylaw 12 to identify bylaws that could be modified in order to provide possible financial relief to institutions. The cabinet also reviewed feedback solicited from the National Association of Athletics Compliance (NAAC). The cabinet noted the difficulty of identifying areas for cost savings within the amateurism legislation but agreed that the two primary areas of discussion during its meeting (NCAA Proposal No. 2009-22 and the legislative concepts within the task force report on commercial activities) hold the potential for cost savings and increased revenue generation.

3. Championships/Sport Management Cabinet.

The cabinet engaged in a review of Bylaws 17 and 31 and identified areas for possible cost reduction. The cabinet directed NCAA staff to develop a document containing the

identified concepts and agreed to take formal positions on the concepts at the cabinet's February 2010 meeting.

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

The Awards, Benefits, Expenses and Financial Aid Cabinet submitted the following legislative concepts as a result of its review of Division I bylaws as directed by the Board of Directors.

a. Bylaw 15.3.3.1.1 -- Financial Aid -- Terms and Conditions of Awarding Institutional Financial Aid -- Period of Institutional Financial Aid Award -- One-Year Period -- Exceptions.

(1) Recommendation. The cabinet agreed to request consideration of legislation to create an additional exception to the one-year period legislation to specify that a student-athlete who graduates during the previous academic year (including summer) may receive athletically related financial aid for less than one academic year, provided the student will exhaust his or her remaining athletics eligibility during the fall term.

(2) Rationale. Under current legislation, NCAA rules prohibit an institution from awarding athletics aid for less than one academic year to a student-athlete with eligibility remaining who has already graduated prior to the academic year in question. The cabinet noted that it is appropriate to allow institutional discretion to determine, on a case-by-case basis, whether to provide athletics aid for less than one year to a student-athlete with eligibility remaining who has already graduated prior to the academic year in question. Currently, an institution must provide a one-year athletics aid agreement to such a student-athlete and he or she may not genuinely be interested in attending the entire spring semester. In many cases, a student-athlete may attend classes at the beginning of the spring or winter term in order to obtain their scholarship and then focus on training for their professional career. Permitting an institution to review the appropriateness of a second term of athletics aid in these situations could save the institution money if it decides a student-athlete is not engaged enough academically to provide them athletics aid for the second semester.

b. Bylaw 16.8.1.2.1.1 -- Awards, Benefits and Expenses for Enrolled Student-Athletes -- Expenses Provided by the Institution for Practice and Competition -- Permissible -- Departure/Return Expense Restrictions -- Exceptions.

(1) Recommendation. The cabinet agreed to request consideration of legislation to create an additional exception to the departure/return expense restrictions to specify that an eligible student-athlete may receive actual and necessary travel expenses to represent the institution in athletics competition, provided the student-athlete departs for the competition no earlier than 60 hours prior to the start of the actual competition, the institution can demonstrate overall cost savings, the student-athletes do not miss additional scheduled class time due to the earlier departure and the institution's faculty athletics representative certifies in writing, prior to the travel, that student-athletes miss no additional scheduled class and that there is overall cost savings. Further, the recommendation would specify that the institution must include any additional costs incurred due to the earlier departure (e.g., hotel nights, meals) when evaluating whether there is overall cost savings.

(2) Rationale. Under the current legislation, if an institution's team would like to depart campus more than 48 hours prior to the actual competition due to a documented cost savings related to travel, a waiver must be filed with the NCAA Division I Legislative Council Subcommittee for Legislative Relief. Over the past three years, approximately 140 waivers have been filed for relief of the departure/return expense restrictions. Of those requests, approximately 30 percent involved assertions related to cost savings. Such waivers are typically granted, provided student-athletes do not miss additional class time as a result of the earlier departure and the institution's faculty athletics representative approved the submission of the waiver request. Under this proposal, if the earlier departure requires additional costs (e.g., hotel nights, meals), the institution must document that overall cost savings result from departing outside of the 48-hour period. Finally, while this proposal would result in student-athletes missing additional campus time, the requirement that such travel must receive prior, written approval from the institution's faculty athletics representative ensures an appropriate academic review.

c. Bylaw 16.8.1.2.1.1-(e) -- Awards, Benefits and Expenses for Enrolled Student-Athletes -- Expenses Provided by the Institution for Practice and Competition -- Permissible -- Departure/Return Expense Restrictions -- Exceptions.

(1) Recommendation. The cabinet agreed to request consideration of legislation to create an exception to the departure/return expense legislation to specify that return transportation following contests in NCAA championship events, National Governing Body (NGB) 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, provided the return transportation expenses are equal to or less than the value of the return travel purchased by the team (i.e., within 36 hours following the conclusion of the actual competition).

(2) Rationale. Under the current legislation, when an institution is participating in an NCAA championship event, NGB championship in emerging sports or a licensed postseason football game that takes place during the institutional vacation period and classes are not in session, the institution may provide return transportation to any student-athlete who chooses to stay in the locale of the competition for an extended period after the competition, regardless of the cost. This proposal would modify the current rule to specify that return transportation expenses may be provided by the institution to the student-athlete only if the cost for such expenses is equal to or less than the value of the return travel purchased by the team that occurs within 36 hours following the conclusion of the actual competition. This proposal is intended to provide some savings related to post-competition travel.

d. Bylaw 16.8.1.5.1 -- Awards, Benefits and Expenses for Enrolled Student-Athletes -- Expenses Provided by the Institution for Practice and Competition -- Permissible -- Travel to NCAA Championships, NGB Championships in Emerging Sports and Postseason Bowl Games during Vacation Period.

(1) Recommendation. The cabinet agreed to request consideration of an amendment to Bylaw 16.8.1.5.1.1-(a) to specify that an institution may only provide (in lieu of team transportation) the actual transportation costs incurred by the student-athlete to travel from: (1) campus to the event site and back to campus; (2) campus to the student-athlete's home and back to campus; or (3) the student-athlete's home to the event site and back home. Further, to specify that the institution may provide actual transportation costs only if the student-athlete either returns to campus on his or her own or travels home from the event site.

(2) Rationale. The current legislation permits an institution to provide (in lieu of team transportation) the greater of the transportation costs for the student-athlete to travel from: (1) campus to the event site and back to campus; (2) campus to the student-athlete's home and back to campus; or (3) the student-athlete's home to the event site and back home. Under this legislation, if an institution chooses to provide the greater amount of the transportation costs, the student-athlete may retain funds intended to be used for transportation expenses even though the student-athlete did not use the most expensive option of travel. This proposal would ensure that institutions are providing a student-athlete with the actual costs associated with his or her travel and would likely result in savings,

particularly for bowl travel. For example, a student-athlete who travels with the team to the event site and the student-athlete travels from the event site to their home (in lieu of team transportation), the institution would be limited to providing the actual cost of the student-athlete's trip home from the event site.

In addition to the listed recommendations, the cabinet also discussed, but did not forward recommendations for, decreasing the number of complimentary tickets to championships for student-athletes and reducing the value limits for participation awards. The cabinet believes these decisions are more appropriately left to the discretion of an institution.

5. Academic and Recruiting and Athletics Personnel Issues Cabinets.

Neither cabinet discussed possible cost savings measures within the NCAA bylaws under its purview.

D1A Annual Meeting
September 28-29, 2009
Dallas, Texas

Economic Issues

Reports from the Conferences

Atlantic Coast Conference - Kirby Hocutt, University of Miami

ACC began cost cutting measures with the premise that the Conference would not cut services that directly impact student-athletes. With that in mind, they adopted the following measures:

- reduced the number of in-person meetings
- reduced staff travel
- reduced size of travel squads for football (72)
- centralized championship sites to reduce travel costs
- eliminated sports banquets at championship sites
- gave support to limit personnel
- 10 of 12 institutions support early signing period in football

Big East - Jeff Hathaway, University of Connecticut

The Big East adopted a similar philosophy to the ACC with many of the same measures but also:

- implemented salary freezes
- reduced number of media guides
- reduced number of staff
- gave support to early signing period in recruiting

Big Ten – Morgan Burke, Purdue University

The Big Ten adopted many similar measures but also:

- reduced participant awards for championships
- implemented a salary freeze
- supported video conferencing instead of in-person meetings
- examined all fly-drive policies
- reduced media guides

Big Twelve – Mike Alden, University of Missouri

The Big Twelve adopted these additional cost cutting measures:

- meeting by video conferencing
- elimination of media guides
- limit or eliminate foreign travel
- examined charter/travel policies
- supported elimination of NCAA Regional meets
- support elimination of non-traditional seasons
- decreased conference travel for staff

Conference USA – Richard Giannini – Southern Mississippi

Conference USA adopted many of the previous measures and these additional cost reduction measures:

- reduced travel squad size in football to 66
- eliminated some postseason tournaments
- eliminated some in person meetings

MidAmerican Conference – Brad Bates –

MAC reported:

- reduction of on-site meetings
- reduction in championship banquets
- reduction in neutral site first-round tournament games
- still under discussion in Conference:
    - reduction in number of teams participating in conference champsionships
    - reduction of conference tournament travel squads
- additionally, some MAC schools reported:
    - complete or partial elimination of printed media guides
    - reduction of hotel for home football games

Mountain West – Chris Hill, University of Utah

Mountain West reported operating on a very narrow budget . They supported many of the other conferences initiatives but adopted some additional cost cutting measures:

- reduced travel squads in football to 64
- reduced number of in person meetings
- scheduled earlier event times so that teams would not need to stay overnight

PAC 10 – Jim Sturk, Washington State

The PAC 10 has adopted many of the other conferences initiatives with these additional measures:

-supports legislation to eliminate foreign tours
-supports legislation to eliminate non-traditional seasons
-eliminate overnight hotel stay prior to a home game in football
- decrease football travel squad to 64
-suspend gifts for conference tournaments
-reduce in-person meetings
- reduce travel to PAC 10 tournaments

Southeastern Conference – Damon Evans, University of Georgia

The Southeastern Conference has appointed a subcommittee to examine cost reducing measures for the conference and has adopted many similar initiatives to those listed previously as well as support legislation to:

-eliminate non-traditional seasons
-eliminate foreign travel
-eliminate printed media guides

Sunbelt Conference- Dean Lee, Arkansas State

The Sunbelt Conference has implemented many of the initiatives stated and works with a limited budget in all areas. Additional measures taken include:

- elimination of raises for staff
- elimination of a conference media day
- elimination of in-person conference meetings
- reduction of staff travel to championships

Western Athletic Conference - Carrie Groth, University of Nevada at Reno

The WAC reported that many of their initiatives were as stated by other conferences. Additionally, the WAC has reduced bowl stipends for staff members.

KEY ITEMS FROM SEPTEMBER CABINET MEETINGS

[For more detailed information regarding the September Cabinet meetings, please view the complete cabinet reports found at:

http://www.ncaa.org/wps/ncaa?key=/ncaa/ncaa/legislation+and+governance/committees/division1.html.]

ACADEMIC CABINET.

1. **Review of Initial-Eligibility Standards.** The cabinet continued its review of initial-eligibility standards, employing the goals and principles drafted earlier this year. Because NCAA research indicates that high school core-course grade-point average is a good predictor of eventual academic success in college, the cabinet noted that emphasizing the grade-point average requirement in any modifications to the initial-eligibility requirements may increase the predictability that a particular prospective student-athlete eventually will graduate from an institution. The cabinet requested additional information regarding the grade-point average requirement. Specifically, the cabinet is interested in the potential effects of a minimum core-course grade-point average requirement and also the impact of increased emphasis on the grade-point average in the sliding scale.

ADMINISTRATION CABINET.

1. **Cost savings bylaw review**. At the request of the Leadership Council, the cabinet engaged in a discussion of possible cost savings measures in legislative areas for which it has been assigned oversight responsibility. The group noted that any such measures ultimately identified and prioritized by the Leadership Council should be mindful of and consistent with the Association's core mission. The cabinet noted the need to balance priorities with cost expenditures.

2. **Committee Appointment Process.** The cabinet discussed the importance of providing the membership additional education regarding the Division I committee nomination and selection processes. The cabinet supported the staff's suggestion that developing a Web-based session may be the most effective way to thoroughly educate the membership and also identified several topics to be included in the presentation.

3. **Governance assessment tool**. The cabinet reviewed a draft of a preliminary tool designed to assess the 31-multisport conferences' knowledge of the goals and objectives behind the recent changes to the Division I governance structure. The group offered a number of helpful comments and approved sending the survey instrument to the conferences. The cabinet also identified a tentative course of action for conducting a broader assessment of the new governance structure.

AMATEURISM CABINET.

1. **NCAA Proposal No. 2009-22 (Amateurism and Eligibility – Involvement with Professional Teams – Exception – Prior to Initial Full-Time Collegiate Enrollment – Seasons of Competition).** The cabinet agreed to exclude the sport of men's ice hockey from this proposal. The cabinet, after reviewing feedback from USA Hockey, the American Hockey Coaches Association and the Hockey Commissioner's Association, agreed that the legislative changes included in the proposal would be detrimental to men's ice hockey prospective student-athletes, to Division I institutions that sponsor men's ice hockey and to the performance of United States national teams.

2. **Commercial Activity in Division I Intercollegiate Athletics.** The cabinet continued its review and examination of the final report of the Task Force on Commercial Activity in Intercollegiate Athletics. The cabinet expressed support for the principles in the report and requested that staff draft the principles as legislative concepts to be reviewed at their February in-person meeting or at an earlier date via teleconference. During its discussion, the cabinet identified several areas to be given careful consideration, including student-athlete consent and the importance of referencing the name of a student-athlete's institution in conjunction with the use of their name or likeness.

CHAMPIONSHIPS/SPORTS MANAGEMENT CABINET.

1. **2010-11 and 2011-12 Budget.** The cabinet reviewed budget recommendations from the entities that report to the cabinet. A majority of recommendations related to officiating fees, game operations, and host stipends. The cabinet commended the entities submitting the requests noting that it appeared that fiscal restraint was used in developing budget recommendations for the upcoming budget cycle. After approving (or not) the recommendations, the cabinet prioritized each recommendation that received cabinet approval. The cabinet noted that the prioritization exercise showed very little separation between those recommendations that were approved.

   The cabinet agreed to request a total of $159,500 to fund new Division I initiatives and $89,515 from Association-wide funds to pay for increased softball-bat testing, the appointment of a secretary rules interpreter for women’s gymnastics and an increase in the size of the Women’s Bowling Committee. In addition, the cabinet approved $101,634 to cover additional costs related to officiating.

2. **Track and Field Regionals.** The cabinet engaged in a lengthy discussion regarding track and field regionals. After reviewing and discussing significant feedback from the

membership and the NCAA Division I Men's and Women's Track and Field Committee, the cabinet agreed to maintain the current regional qualifying system and charged the Men's and Women's Track and Field Committee to review the current model and consider alternative models that will continue to provide appropriate access and accommodate as well as provide some deference to obvious qualifiers. In addition, the cabinet charged the Men's and women's Track and Field Committee with developing a system that will mitigate the financial burden of a regional qualifying system. The Men's and Women's Track and Field Committee should forward recommendations to the cabinet for review in September 2010. [Note: a motion to eliminate the regional qualifying system was defeated as was an initial motion to refer to the Men's and Women's Track and Field Committee the issue of whether to maintain or eliminate regionals.]

3. **Sand Volleyball.** The cabinet agreed to oppose NCAA Proposal No. 2009-83 as written which would, in women's sand volleyball, establish a playing and practice season and the minimum number of contests necessary for sports sponsorship purposes. The cabinet agreed to support the proposal if the proposal was amended as follows:

   a. Limit the championship segment playing season to eight weeks beginning with the first Thursday in March. The cabinet intends this season to include the weekend following the Thursday that is eight weeks from the first Thursday in March.

   b. Limit the number of dates of competitions to 18, regardless of the segment in which the date of competition is played. The recommendation would not establish a separate limit on nonchampionship segment dates of competition.

AWARDS, BENEFITS, EXPENSES AND FINANCIAL AID CABINET.

1. **Discussion of Financial Aid Models.** The NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet continued its review of the financial aid items prioritized during its February 2009 meeting. Models related to the current financial aid legislation were reviewed to determine the level of impact the suggested changes would have on student-athlete well-being, team financial aid limits, the athletics department and the availability of financial aid for the general student body. The cabinet then prioritized the elements from the models. The cabinet directed the staff to develop a discussion document to obtain feedback from the broader membership. It is anticipated that this document will be disseminated to the membership in time for the 2010 NCAA Convention.

2. **One-Year Period of Award Legislation (NCAA Bylaw 15.3.3.1).** The cabinet continued its discussion of the merits of current NCAA legislation limiting athletically related financial aid to a maximum of one year. The cabinet agreed to maintain the one-year limit

because it allows an institution the autonomy to provide the most deserving student-athletes athletics financial aid and ensures the best product available to the general public. Members of the cabinet believe that athletics financial aid is a "merit" award and an annual review of whether an individual meets the standards of a merit award is the most appropriate way to ensure that the most deserving student-athletes receive that award each year. Finally, it was noted that the financial aid hearing opportunity best practices document includes suggested best practices on notifying and educating student-athletes on the reasons athletics aid may be cancelled or reduced. The cabinet agreed to include additional information related to the expectations of the institution and student-athlete as they relate to renewing and receiving athletics financial aid.

3. **Directive to Review Division I Bylaws.** At the direction of the NCAA Division I Board of Directors, the cabinet engaged in an examination of Bylaws 15 and 16, and developed legislative recommendations that could provide financial and operational relief to the membership. In addition, the cabinet also discussed, but did not forward recommendations for, decreasing the number of complimentary tickets to championships for student-athletes and reducing the value limits for participation awards. The cabinet believes these decisions are more appropriately left to the discretion of an institution.

RECRUITING AND ATHLETICS PERSONNEL ISSUES CABINET.

1. **Proposals Sponsored for the 2009-10 Cycle.** The NCAA Division I Recruiting and Athletics Personnel Issues Cabinet commented on 46 legislative proposals for the membership's consideration for the 2009-10 legislative cycle. One proposal is being supported for consideration as noncontroversial legislation by the NCAA Division I Legislative Council, one proposal originally sponsored by the cabinet has been withdrawn, and the cabinet has sponsored an alternative proposal for consideration to a proposal it originally sponsored in the spring.

2. **Priority Item – Examination of the Recruiting Model.** The cabinet began a discussion of the current recruiting model, including but not limited to: the impact of technology on communication methods (e.g., telephone, electronic, social networking) and frequency; early recruitment (e.g., verbal and written offers of athletics aid); camps and clinics; and recruiting calendars. The cabinet believes a comprehensive examination of the entire recruiting model is necessary and critical to understand how existing legislation aligns or conflicts with the realities of today's environment. The cabinet identified key guiding principles to serve as a framework for the examination and discussion. The cabinet will continue this examination during its next meeting in anticipation of engaging in broader membership discussion in spring/summer 2010.

REPORT OF THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I OCTOBER 6, 2009, LEADERSHIP COUNCIL

- ***KEY ITEMS*.**

1. **Interim President.** Jim Isch, NCAA senior vice president and chief financial officer, has been appointed Interim President of the NCAA. He intends to continue the Association's focus on academic reform, fiscal stability, student-athlete well-being and diversity and inclusion. It is expected that the Executive Committee will establish a timeline and framework for a search for a new full-time president during the committee's October 29 meeting. In addition, a public tribute to Myles Brand will be conducted at 6 p.m. on October 28 in Conseco Fieldhouse in Indianapolis, Indiana.

2. **Division I Membership Standards.** The group reviewed a set of recommended membership standards for aspiring members of Division I. The individual recommendations and reactions during the meeting are set forth below. It is anticipated that a final report will be submitted to the Board of Directors in time to be available for spring 2010 conference meetings and for appropriate legislation to be considered in the 2010-11 cycle. This schedule would coincide with the expected end of the Division I moratorium period regarding new Division I members and conferences, which expires in August 2011. [Supplement No. 1] [Addendum]

3. **Enhancing Diversity in the Division I Council and Cabinet Structure.** The group reviewed a draft of a paper designed to respond to the Board of Directors' request for recommendations to enhance diversity and give focus to faculty concerns regarding perceived underrepresentation in the governance structure. A summary of the discussion is set forth below. This item will be discussed again at the council's January meeting. [Supplement No. 2]

- ***INFORMATION ITEMS*.**

1. **Review of Division I Membership Recommendations.**

   a. **All potential new members of Division I should enter the division through a five-year "reclassification" process following membership in Division II as**

described in Bylaw 20.5.1, and only after presenting a bona fide offer of membership from a Division I multisport, voting conference. The sponsoring conference will be expected to provide appropriate guidance and counsel, assist with scheduling, monitor student-athlete well being and enhance accountability during the transition process.

Action: Based on counsel from Division II, the group agreed that active membership in Division II for five years should be required before beginning a "reclassification" transition to Division I. It was noted that this time period both provides the institution the opportunity to participate fully in Division II, and offers more insight into effects on the student-athlete experience than an immediate transition into, and out of, Division II.

b. **The "provisional" process provided for in Bylaw 20.3.1, which now permits an institution outside the NCAA to become a Division I member through a seven-year process, shall be eliminated.**

Action: Confirmed support.

c. **A substantial Division I application fee should be required before entering the "reclassification" process, which should be commensurate with the estimated value of services and benefits made available through Division I membership. For purposes of discussion, $800,000 is approximately half of the estimated average direct benefits (distribution funds and championships) and indirect benefits (Association-wide) received annually by a Division I member.**

Action: The staff was requested to present alternate models for the calculation of an application fee that would be representative of either a business model, an education association model or a hybrid. It remains unclear whether such a fee should be tied to the Division I brand value, a business valuation of Division I membership, the value of direct net benefits received annually as an active member, the operational costs associated with administering the reclassification process or whether a "vesting" period is appropriate. It was noted that the fee should eventually be deposited in NCAA reserves and not returned to the institution or its conference. It also was emphasized that each conference may

have its own fees associated with conference membership. The matter will be addressed again at the council's January 2010 meeting.

d. Upon beginning the "reclassification" process, the institution must meet Division I sports sponsorship requirements (which should be increased from 50 percent to 75 percent of the grants-in-aid maximums in the conference sponsored sports in which the institution will participate). In addition, the alternative means of satisfying this requirement now set forth in Bylaw 20.9.1.2-(b) (c) and (d) should be modified to correlate to the new minimum.

Action: The staff was requested to gather additional data concerning the actual levels of funding in each sport by current Division I members for Leadership Council consideration in January. While it appears that the vast majority of institutions now fund grants-in-aid above the 50 percent level, it is not clear which schools use the alternate means provided by sections (c) and (d) of this legislation to meet this requirement. It was noted that if the percentage requirement is increased, a phase-in period for current members to satisfy the requirement may be appropriate. It also was noted that an increase should be a catalyst for broader support of an institution's athletics program and should not be seen as a reason to reduce funding in certain sports in order to increase grants in others.

e. A prospective member institution may not be elected to active membership in Division I if it is subject to a "historical penalty" under the APR program.

Action: Confirmed support.

f. A preliminary NCAA certification should be required in year 2 of the five-year "reclassification" period and a compliance review and full certification should be required before final approval as a Division I member.

Action: Confirmed support, although the nature and requirements for preliminary certification should be established.

g. A multisport conference must establish voting privileges in the Division I governance structure through legislation that places the conference among those identified in applicable sections of Constitution 4 related to representation and voting ratios on Division I Board of Directors, Legislative and Leadership Councils and the six cabinets.

Action: Confirmed support.

h. The multi-divisional practice permitting a Division II or III institution to designate one men's and one women's sport in Division I, except in football or men's or women's basketball shall be discontinued upon the completion of the 2010-11 academic year. Division II and III institutions that sponsor sports teams in Division I in 2010-11 may continue to do so in the sports so designated but will forfeit this opportunity permanently if it fails to conduct the sport in Division I in any ensuing academic year. No change is recommended for participation in national collegiate championships.

Action: Confirmed support.

i. Multisport, voting conferences shall receive preference in awarding Automatic Qualification (AQ) for Division I championships. Further, no more than 32 conferences may be awarded AQ's for any championship, and at least 50 percent of the field must be reserved for "at large" selections.

Action: Confirmed support.

j. The current definitions for "core" and "continuity" for Division I institutions should be eliminated in favor of a new definition of "multisport conference."

Action: It was agreed that the attachment to Supplement No. 1 of the agenda, which was prepared by the 20 FCS and Division I subdivisions conferences, would be reviewed by staff to ensure that the status quo is preserved if these definitions are eliminated and that special attention be paid to the number of

schools required to both be considered a conference member and be eligible for automatic qualification into championship competition in men's basketball.

k. New "active" members of Division I should qualify immediately for revenue distributions related to academic enhancement and the Special Assistance/Student-Athlete Opportunity Funds. Remaining allocations and Division I distributions should be computed based upon the actual members of the division at the time applicable revenue agreements are completed. Each sponsoring conference would be free to share its revenues from Division I distributions among its members as it deems appropriate.

Action: This recommendation should be evaluated in conjunction with further discussion of the new member application fee structure.

l. No change in criteria is recommended for designation in the Football Championship Subdivision.

Action: Confirmed support.

m. The role of the Administration Cabinet and the steps of the five-year reclassification process should be modified to ensure coordination by the cabinet with sponsoring conferences.

Action: Referred to the Administration Cabinet and conferences for consideration.

n. Constitution 3.2.3.1 should be amended to provide that the vote to elect an institution to Division I active membership upon recommendation of the Administration cabinet shall be taken by the Board of Directors, rather than the Leadership Council.

Action: Confirmed support.

2. **Discussion of possible ways to enhance the level of diversity at the Division I cabinet and council levels.** The Leadership Council discussed the following approaches:

   a. Apply the current diversity requirements (35 percent of each gender and 20 percent ethnic minority) to each cabinet and council while noting the importance of positional distribution in the nomination process.

   b. Require that faculty athletics representatives comprise a certain percentage of the membership of each cabinet other than the Academics Cabinet; where faculty athletics representatives would comprise a higher percentage of the membership.

   c. Require conferences to nominate two individuals, regardless of position, for each cabinet or council opening; charge the Board of Directors to keep the diversity of the cabinets and councils in mind when selecting between the two nominees.

   d. Place a two-year term limit on all cabinet and council positions and limit conferences to two consecutive nominees of the same position.

   e. Establish a certification or education process to help conferences identify qualified potential nominees.

   f. Send a letter to conferences and institutions emphasizing the importance of gender, ethnic and positional diversity on all cabinets and councils and encourage interest in participation, even in areas where the individual may not have past experience.

   Prior to the Leadership Council's January meeting, NCAA staff will formulate concepts aimed at enhancing the level of diversity serving within the governance structure that reflect the approaches discussed by the Leadership Council. These recommendations should relate to both the nomination system and possible initiatives to help new participants develop interest in the governance structure. Additionally, the NCAA research staff will present data regarding individuals currently serving on cabinets and councils.

3. <u>Legislative items in the 2009-10 cycle of potential interest to the Leadership Council</u>.

The group reviewed the expected override process that will take place at the January 15, 2010, Division I business session and also reviewed selected legislative proposals from the 2009-10 legislative cycle, but took no action.

4. <u>Report from the Division I Student-Athlete Advisory Committee</u>.

Received a report from the chair of SAAC outlining agenda items under their consideration, including the final Commercial Activities Report, the final report of the Men's Basketball Academic Enhancement Group, the Leadership Council's review of Membership Criteria and expected consideration of cost-savings initiatives within the division. The SAAC Award of Excellence will be presented at an upcoming meeting. It was noted that communication among student-athletes has been enhanced through the use of social networking technology.

5. Future meeting dates.

- January 14, 2010; NCAA Convention, Atlanta, Georgia.

Council chair: *Damon Evans, University of Georgia, Southeastern Conference.*
Council liaisons: *David Berst, governance.*
Bernard Franklin, membership and governance.
Kevin Lennon, academic and membership affairs.
Mark Tschaggeny, governance intern.

Division I Proposals

Proposal Number	Title	Source	Effective Date	Intent
2009-7	ACADEMIC PERFORMANCE PROGRAM -- DEFINITIONS AND APPLICATIONS -- ACADEMIC PROGRESS RATE -- DEFINITION OF COHORT	NCAA Division I Board of Directors (Committee on Academic Performance)	Immediate	To revise the definition of the NCAA Division I Academic Progress Rate (APR) cohort, as specified.
2009-8	ACADEMIC PERFORMANCE PROGRAM -- PENALTIES AND REWARDS -- PENALTIES -- DETERMINATION OF PENALTIES	NCAA Division I Board of Directors (Committee on Academic Performance)	Immediate	To revise the NCAA Division I Academic Performance Program (APP) penalty structure, as specified.
2009-9	ETHICAL CONDUCT -- UNETHICAL CONDUCT -- KNOWINGLY INFLUENCING OTHERS TO FURNISH FALSE OR MISLEADING INFORMATION	NCAA Division I Board of Directors (Committee on Infractions)	Immediate	To specify that knowingly influencing others to furnish the NCAA or an individual?s institution false or misleading information concerning an individual's involvement in or knowledge of matters relevant to a possible violation of an NCAA regulation constitutes unethical conduct.
2009-10	PERSONNEL -- DEFINITIONS AND APPLICATIONS -- GRADUATE-ASSISTANT COACH -- EMPLOYMENT WITHIN SEVEN YEARS OF GRADUATION OR EXHAUSTING ELIGIBILITY -- BOWL SUBDIVISION FOOTBALL	Southeastern Conference	August 1, 2010; for new appointments of graduate assistant coaches on or after August 1, 2010	In bowl subdivision football, to specify that a graduate-assistant coach is any coach who has received a baccalaureate degree or has exhausted athletics eligibility (whichever occurs later) within the previous seven years and qualifies for appointment as a graduate assistant under the policies of the institution.
2009-11	PERSONNEL -- DEFINITIONS AND APPLICATIONS -- GRADUATE-	Big 12 Conference		In bowl subdivision football and women's rowing, to specify that a graduate-assistant coach

Proposal Number	Title	Source	Effective Date	Intent
	ASSISTANT COACH -- BOWL SUBDIVISION FOOTBALL AND WOMEN'S ROWING -- LESS THAN 50 PERCENT OF FULL-TIME ENROLLMENT DURING FINAL TERM			may be enrolled in less than 50 percent of the institution's minimum regular graduate program of studies during his or her final semester or quarter of the degree program, provided he or she is carrying (for credit) the courses necessary to complete the degree requirements.
2009-12	PERSONNEL -- DEFINITIONS AND APPLICATIONS -- UNDERGRADUATE STUDENT-ASSISTANT COACH	NCAA Division I Recruiting and Athletics Personnel Issues Cabinet		To permit a student-athlete to serve as an undergraduate student-assistant coach at the institution at which the student-athlete most recently participated in intercollegiate athletics, provided the student-athlete is currently enrolled at the institution as a full-time undergraduate student and he or she renounces any remaining eligibility in the sport; further, to specify that the limit of undergraduate student-assistant coaches in each sport shall be the same as the limit of countable coaches permitted in the sport.
2009-13	PERSONNEL AND RECRUITING -- RECRUITING COORDINATION FUNCTIONS -- PERMISSIBLE CALLERS -- EXCEPTION -- VOLUNTEER COACH -- TRACK AND FIELD	Pacific-10 Conference		In track and field, to permit a volunteer coach to make telephone calls to and receive telephone calls from a prospective student-athlete, provided the coach has successfully completed the coaches' certification exam.
2009-14	PERSONNEL -- DEFINITIONS AND APPLICATIONS -- MANAGER	NCAA Division I Recruiting and Athletics Personnel Issues Cabinet		To establish criteria by which an individual may serve as a manager, as specified.

Proposal Number	Title	Source	Effective Date	Intent
2009-15	PERSONNEL -- LIMITATIONS ON THE NUMBER AND DUTIES OF COACHES -- NONCOACHING ACTIVITIES -- NONCOACHING ATHLETICS STAFF MEMBER WITH SPORT-SPECIFIC RESPONSIBILITIES	NCAA Division I Recruiting and Athletics Personnel Issues Cabinet	Immediate	To permit noncoaching staff with sport-specific responsibilities to participate in organized activities involving only the coaching staff or administrative duties (e.g., attend meetings involving coaching activities, analyze video of the institution's or an opponent's team, track statistics during practice or competition).
2009-16	PERSONNEL -- LIMITATIONS ON THE NUMBER AND DUTIES OF COACHES -- CONTACT AND EVALUATION OF PROSPECTIVE STUDENT-ATHLETES -- FALL EVALUATION PERIOD -- EXCEPTION -- FOOTBALL	Southeastern Conference		In football, to permit ten coaches to recruit off campus at any one time during the fall evaluation period during any week (Sunday through Saturday) in which no regular season competition is scheduled.
2009-17	PERSONNEL -- CERTIFICATION TO RECRUIT OFF CAMPUS -- CERTIFICATION ADMINISTRATION -- FACULTY ATHLETICS REPRESENTATIVE	Atlantic Sun Conference		To specify that an institution's faculty athletics representative shall administer the annual coaches' certification test; further, to specify that if the faculty athletics representative is unable to administer the test, he or she shall appoint an institutional staff member outside the athletics department to administer the test.
2009-18	PERSONNEL AND RECRUITING -- RECRUITING COORDINATION FUNCTIONS -- EXCEPTION -- NONCOACHING STAFF MEMBERS AND NONCOUNTABLE COACHES -- TELEPHONE CALLS IN CONJUNCTION WITH OFFICIAL VISIT	Big 12 Conference		To permit a noncoaching staff member or a noncountable coach who is providing ground transportation to a prospective student-athlete on an official visit from the nearest bus or train station or airport to initiate telephone calls to and receive telephone calls from the prospective student-athlete or those individuals

Proposal Number	Title	Source	Effective Date	Intent
	TRANSPORTATION			accompanying the prospective student-athlete at the time of the prospective student-athlete's arrival at the nearest bus or train station or airport; further; to specify that institutional staff members providing ground transportation from the nearest bus or train station or airport may make unlimited telephone calls to the prospective student-athlete or those individuals accompanying the prospective student-athlete from the time the prospective student-athlete initiates his or her official visit transportation until in-person contact is made with the staff member at the bus or train station or airport.
2009-19	PERSONNEL -- LIMITATIONS ON NUMBER OF COACHES AND OFF-CAMPUS RECRUITERS -- WOMEN'S SAND VOLLEYBALL	NCAA Division I Recruiting and Athletics Personnel Issues Cabinet		To specify that an institution that sponsors only women's sand volleyball shall have a limit of two coaches who may be employed and a limit of two coaches who may contact or evaluate prospective student-athletes off-campus at any one time; further, to specify that an institution that sponsors women's sand volleyball and women's volleyball shall have a limit of four coaches who may be employed and a limit of two coaches who may contact or evaluate prospective student-athletes off-campus at any one time.
2009-20	PERSONNEL -- LIMITATIONS ON THE NUMBER OF OFF-CAMPUS	Atlantic Coast Conference		In women's basketball, to specify that a coaching staff member who attends an athletics event on

Proposal Number	Title	Source	Effective Date	Intent
	RECRUITERS -- ON-CAMPUS EVENTS -- WOMEN'S BASKETBALL			the institution's campus that involves women's basketball prospective student-athletes is considered an off-campus recruiter.
2009-21	PERSONNEL AND RECRUITING -- LIMITATIONS ON NUMBER OF COACHES AND OFF-CAMPUS RECRUITERS -- EVALUATION DAYS -- LOCAL SPORTS CLUBS -- WOMEN'S VOLLEYBALL	NCAA Division I Recruiting and Athletics Personnel Issues Cabinet		In women's volleyball, to specify that (a) a coaching staff member who is involved with a local sports club (either on a salaried or a volunteer basis) is considered an off-campus recruiter when he or she is engaged in activities related to the club (e.g., coaching, consulting, administration); (b) during a dead period, a coaching staff member shall not coach a local sports club that includes prospective student-athletes in any activities at any location; (c) during a quiet period, a coaching staff member may coach a local sports club in practice activities only; and (d) coaching a local sports club in competition at any time and in practice activities during a quiet period shall count toward the institution's evaluation days.
2009-22	AMATEURISM AND ELIGIBILITY -- INVOLVEMENT WITH PROFESSIONAL TEAMS -- EXCEPTION -- PRIOR TO INITIAL FULL-TIME COLLEGIATE ENROLLMENT -- DELAYED ENROLLMENT -- SEASONS OF COMPETITION	NCAA Division I Amateurism Cabinet	August 1, 2010; applicable to student-athletes who initially enroll full time in a collegiate institution on or after August 1,	To specify that prior to initial full-time collegiate enrollment, an individual may enter into an agreement to compete on a professional team and compete on a professional team, provided the agreement does not allow for receipt of more than actual and necessary expenses to participate on the team; further, in sports other than tennis, swimming and diving and women's volleyball, to

Proposal Number	Title	Source	Effective Date	Intent
			2010	specify that a student-athlete who does not initially enroll full-time in a collegiate institution within one year (six months for tennis) or the next opportunity to enroll following the high school graduation date of the prospective student-athlete's class and participates in organized events after the specified time period shall be charged with a season of intercollegiate competition for each year of participation and shall fulfill an academic year in residence (one year for each year of competition in tennis) on matriculation at the certifying institution before being eligible to represent the institution in intercollegiate competition.
2009-23	AMATEURISM AND AWARDS, BENEFITS AND EXPENSES -- EXCEPTIONS TO AMATEURISM RULE -- BENEFITS, GIFTS AND SERVICES -- INSURANCE AGAINST DISABLING-INJURY OR ILLNESS	NCAA Division I Amateurism Cabinet	Immediate	To specify that an institution's president or chancellor may designate an institutional staff member (or staff members) to assist a student-athlete with arrangements for securing a loan against future earnings potential for the purpose of purchasing insurance against a disabling injury or illness and to assist with arrangements for securing such insurance.
2009-24	AMATEURISM -- INVOLVEMENT WITH PROFESSIONAL TEAMS -- TRYOUTS -- MEN'S ICE HOCKEY	NCAA Division I Amateurism Cabinet	Immediate	In men's ice hockey, to specify that a prospective or enrolled student-athlete may accept actual and necessary expenses from the National Hockey League (NHL) or a professional sports organization that is a member of the NHL to

Proposal Number	Title	Source	Effective Date	Intent
				attend the NHL scouting combine, regardless of the duration of the combine.
2009-25	AMATEURISM -- PROMOTIONAL ACTIVITIES -- INSTITUTIONAL, CHARITABLE, EDUCATION OR NONPROFIT PROMOTIONS -- RELEASE STATEMENT -- DE MINIMIS VIOLATION	NCAA Division I Legislative Council (Administrative Committee) (Committee on Student-Athlete Reinstatement)	Immediate	To specify that a violation of the promotional activities legislation in which the only condition of the legislation not satisfied is the requirement that the student-athlete and an authorized representative of the charitable, educational or nonprofit agency sign a release statement shall not affect the student-athlete's eligibility, provided the release statement would have been signed if such a request had been made.
2009-26	RECRUITING -- DEFINITIONS AND APPLICATIONS -- DEAD PERIOD -- EXCEPTION -- UNOFFICIAL VISIT AFTER NATIONAL LETTER OF INTENT SIGNING OR OTHER WRITTEN COMMITMENT	Pacific-10 Conference		To specify that a prospective student-athlete who has signed a National Letter of Intent (NLI), is permitted to make an unofficial visit during a dead period to the institution with which he or she has signed the NLI; further, to specify that for an institution not using the NLI in a particular sport, or for a prospective student-athlete who is not eligible to sign the NLI (e.g., four-year college transfer), a prospective student-athlete is permitted to make an unofficial visit during a dead period, provided he or she has signed the institution's financial aid agreement or a written offer of admission or the institution has received a financial deposit from the prospective student-athlete in response to an institution's offer of admission.

Proposal Number	Title	Source	Effective Date	Intent
2009-27	RECRUITING -- DEFINITIONS AND APPLICATIONS -- EVALUATION DAYS -- SPRING EVALUATION PERIOD -- 168 DAYS -- FOOTBALL	Southeastern Conference		In football, to specify that the spring evaluation period shall consist of 168 evaluation days (excluding Memorial Day and Sundays) from April 15 through May 31, selected at the discretion of the institution and designated in writing in the office of the director of athletics.
2009-28	RECRUITING -- CONTACTS AND EVALUATIONS -- TELEPHONE CALLS -- OFFICIAL AND UNOFFICIAL VISITS -- OFFERS OF FINANCIAL AID -- TRYOUTS -- WOMEN'S SOCCER	Southeastern Conference		In women's soccer, to revise or establish restrictions related to contacts, telephone calls official and unofficial visits, offers of financial aid and involvement in nonscholastic-based soccer programs, as specified.
2009-29	RECRUITING AND ELIGIBILITY -- FOUR-YEAR PROSPECTIVE STUDENT-ATHLETES -- PERMISSION TO CONTACT AND TRANSFER RELEASE -- RESPONSE TO REQUEST AND HEARING OPPORTUNITY	Big South Conference		To specify that an institution shall grant or deny a request to permit another institution to contact a student-athlete about transferring or a request for release as a condition of the one-time transfer exception within seven calendar days of receipt of the request; further, to specify that if the request is denied, the institution shall conduct a hearing within fourteen calendar days of receipt of the student-athlete's written request and that the student-athlete shall be provided the opportunity to appear in-person or via telephone and actively participate in the hearing.
2009-30	RECRUITING -- PERMISSIBLE RECRUITERS -- NONCOACHING STAFF MEMBERS WITH SPORT-SPECIFIC RESPONSIBILITIES -- MEN'S	NCAA Division I Championships/Sports Management Cabinet (Men's Basketball	Immediate	In men's basketball, to specify that a noncoaching staff member with sport-specific responsibilities shall not attend an off-campus athletics event involving prospective student-

Proposal Number	Title	Source	Effective Date	Intent
	BASKETBALL	Issues Committee)		athletes (e.g., high-school contest, sports camp) unless the staff member is an immediate family member or legal guardian of one of the participants in the activity; further, to establish conditions by which a staff member who is an immediate family member or legal guardian of a participant may attend such an event, as specified.
2009-31	RECRUITING -- CONTACTS AND EVALUATIONS -- HEAD COACH RESTRICTIONS -- ASSISTANT COACH PUBLICLY DESIGNATED AS NEXT HEAD COACH -- BOWL SUBDIVISION FOOTBALL	Big East Conference	Immediate	In bowl subdivision football, to specify that an institution's assistant coach who has been publicly designated by the institution to become the next head coach shall be subject to the recruiting restrictions applicable to the institution's head coach.
2009-32	RECRUITING -- TELEPHONE CALLS -- TIME PERIOD FOR TELEPHONE CALLS -- EXCEPTION -- UNLIMITED DURING CONTACT PERIOD	Pacific-10 Conference		To specify that during a contact period, telephone calls may be made at the institution's discretion.
2009-33	RECRUITING -- TELEPHONE CALLS -- EXCEPTION -- UNLIMITED AFTER RECEIPT OF ROOM OR TUITION DEPOSIT	Big West 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 number of telephone calls 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.

Proposal Number	Title	Source	Effective Date	Intent
2009-34	RECRUITING -- TELEPHONE CALLS -- EXCEPTION -- DAY OF UNOFFICIAL VISIT	Big 12 Conference	Immediate	To specify that institutional coaching staff members may return telephone calls from a prospective student-athlete (or his or her parents or legal guardians) on the day or days of an unofficial visit without such telephone calls being subject to the regulations regarding timing or number of telephone calls.
2009-35	RECRUITING -- CONTACTS AND EVALUATIONS -- VISIT TO PROSPECTIVE STUDENT-ATHLETE'S EDUCATIONAL INSTITUTION -- VISITS DURING EVALUATION PERIOD -- FOOTBALL	Big East Conference	Immediate	In football, to specify that not more than two coaches per institution may visit a prospective student-athlete's educational institution on any one calendar day during an evaluation period.
2009-36	RECRUITING -- EVALUATIONS -- NONSCHOLASTIC EVALUATIONS DURING ACADEMIC YEAR -- NATIONAL STANDARDIZED TESTING WEEKENDS -- WOMEN'S BASKETBALL	NCAA Division I Championships/Sports Management Cabinet (Women's Basketball Issues Committee)		In women's basketball, to specify that evaluations at nonscholastic events during the academic year evaluation period shall not occur on any weekend (including Friday, Saturday and Sunday) during which the PSAT, SAT, PLAN or ACT national standardized tests are administered.
2009-37	RECRUITING -- EVALUATIONS -- SUMMER EVALUATION PERIOD -- NONINSTITUTIONAL NONORGANIZED EVENTS -- WOMEN'S BASKETBALL	NCAA Division I Championships/Sports Management Cabinet (Women's Basketball Issues Committee)	Immediate	In women's basketball, to prohibit evaluations at noninstitutional nonorganized events (e.g., pick-up games, open gyms) during the summer evaluation period.
2009-38	RECRUITING -- EVALUATIONS --	NCAA Division I		In championship subdivision football, to specify

Proposal Number	Title	Source	Effective Date	Intent
	SCHOLASTIC AND NONSCHOLASTIC ACTIVITIES -- CHAMPIONSHIP SUBDIVISION FOOTBALL	Championships/Sports Management Cabinet (Football Issues Committee)		that live athletics evaluations may be conducted at scholastic or nonscholastic athletics activities, provided there is no institutional involvement in arranging or directing such activities.
2009-39	RECRUITING -- LIMITATIONS ON NUMBER OF EVALUATIONS -- EVALUATION DAYS -- WOMEN'S SAND VOLLEYBALL	NCAA Division I Recruiting and Athletics Personnel Issues Cabinet		To specify that an institution that sponsors only women's sand volleyball or sponsors both women's volleyball and women's sand volleyball is limited to 100 evaluation days (measured August 1 through July 31); further, to specify that if an institution sponsors both women's volleyball and women's sand volleyball, a coach's involvement outside a volleyball contact or evaluation period with a local sports club (volleyball or sand volleyball) per Bylaw 13.11.2.3 shall count toward the limit.
2009-40	RECRUITING -- PRINTED RECRUITING MATERIALS -- GENERAL CORRESPONDENCE -- INSTITUTIONAL LETTERHEAD	NCAA Division I Recruiting and Athletics Personnel Issues Cabinet		To establish additional provisions governing general correspondence that an institution may send to prospective student-athletes, their parents or legal guardians, their coaches or any other individual responsible for teaching or directing an activity in which a prospective student-athlete is involved, as specified.
2009-41	RECRUITING -- RECRUITING MATERIALS -- ATHLETICS PUBLICATIONS -- NO PRINTED MEDIA GUIDES OR RECRUITING BROCHURES	Pacific-10 Conference	Immediate	To specify that an institution shall not produce (or arrange for or authorize a third party to produce) a media guide, recruiting brochure or any other athletics publication printed in a hard copy format other than a game program; further,

Proposal Number	Title	Source	Effective Date	Intent
				to specify that an institution may post a media guide or recruiting brochure on its Web site, but may not print such items and provide them to a prospective student-athlete (or his or her parents or legal guardians).
2009-42	RECRUITING -- RECRUITING MATERIALS -- ATHLETICS PUBLICATIONS -- NO PRINTED PUBLICATIONS TO PROSPECTIVE STUDENT-ATHLETES	Southeastern Conference		To specify that an institution shall not provide a printed media guide or any other printed athletics publication not listed in Bylaw 13.4.1.1 to a prospective student-athlete, his or her parents or legal guardians, the prospective student-athlete's educational institution or any individual involved in the coaching of a prospective student-athlete.
2009-43	RECRUITING -- RECRUITING MATERIALS -- ELECTRONIC TRANSMISSIONS -- EXCEPTION -- AFTER RECEIPT OF FINANCIAL DEPOSIT	Pacific-10 Conference		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 a financial deposit in response to the institution's offer of admission.
2009-44	RECRUITING -- RECRUITING MATERIALS -- VIDEO/AUDIO MATERIALS AND COMPUTER GENERATED RECRUITING PRESENTATIONS	NCAA Division I Recruiting and Athletics Personnel Issues Cabinet	Immediate	To specify that an institution may produce video or audio material to show to, play for or provide to a prospective student-athlete, provided such material includes only general information related to an institution or its athletics programs and is not created for recruiting purposes; further, to specify that a computer generated

Proposal Number	Title	Source	Effective Date	Intent
				recruiting presentation may include general informational video/audio material that relates to an institution or its athletics programs and is not created for recruiting purposes.
2009-45	RECRUITING -- OFFICIAL VISIT -- FIRST OPPORTUNITY TO VISIT -- JUNE IMMEDIATELY PRIOR TO SENIOR YEAR -- FOOTBALL	Big Ten Conference	Immediate	In football, to specify that a prospective student-athlete may be provided an expense-paid visit during the month of June immediately preceding the prospective student-athlete's senior year in high school.
2009-46	RECRUITING -- OFFICIAL VISIT -- NUMBER OF OFFICIAL VISITS -- INSTITUTIONAL LIMITATION -- DE MINIMIS VIOLATION	NCAA Division I Legislative Council (Committee on Student-Athlete Reinstatement)	NCAA Division I Legislative Council (Administrative Committee) (Committee on Student-Athlete Reinstatement)	To specify that a violation of the institutional limitation on the number of official visits shall be considered an institutional violation, but shall not affect the prospective student-athlete's eligibility.
2009-47	RECRUITING -- LETTER OF INTENT PROGRAMS, FINANCIAL AID AGREEMENTS -- WRITTEN OFFER OF AID BEFORE SIGNING DATE -- FOOTBALL	Big East Conference		In football, to specify that prior to August 1 of a prospective student-athlete's senior year in high school, an institution shall not provide a written offer of athletically related financial aid or indicate in writing to the prospective student-athlete that an athletically related grant-in-aid will be offered by the institution.
2009-48	RECRUITING AND FINANCIAL AID -- LETTER-OF-INTENT PROGRAMS,	Southeastern Conference		In bowl subdivision football, to specify that there shall be an annual limit of 28 on the number of

Proposal Number	Title	Source	Effective Date	Intent
	FINANCIAL AID AGREEMENTS -- LETTER OF INTENT RESTRICTION -- LIMITATION ON NUMBER OF SIGNINGS -- BOWL SUBDIVISION FOOTBALL			prospective student-athletes who may sign a National Letter of Intent or an institutional offer of financial aid from the initial signing date of the National Letter of Intent through May 31.
2009-49	RECRUITING -- TRYOUTS -- COMPETITION AGAINST PROSPECTIVE STUDENT-ATHLETES -- FOOTBALL	Southeastern Conference		In football, to prohibit an institution's varsity and subvarsity intercollegiate teams from competing against any team that includes prospective student-athletes.
2009-50	RECRUITING AND ADMINISTRATIVE REGULATIONS -- LOCAL SPORTS CLUBS -- ADDITIONAL RESTRICTIONS -- QUIET PERIODS -- WOMEN'S SOCCER	Big 12 Conference	Immediate	In women's soccer, to specify that during a dead or quiet period, institutional coaching staff members may not coach a local sports team at an off-campus competition where prospective student-athletes are present; further, to establish quiet periods in women's soccer, as specified.
2009-51	RECRUITING -- CAMPS AND CLINICS -- INSTITUTION'S SPORTS CAMPS AND CLINICS -- LOCATION -- MEN'S BASKETBALL	NCAA Division I Championships/Sports Management Cabinet (Men's Basketball Issues Committee)	Immediate; a contract signed before September 17, 2008, may be honored	In men's basketball, to specify that an institution's camp or clinic shall be conducted on the institution's campus or within a 100-mile radius of the institution's campus.
2009-52	RECRUITING -- CAMPS AND CLINICS -- CONDUCTED DURING JUNE, JULY AND AUGUST -- EMPLOYMENT IN NONINSTITUTIONAL, PRIVATELY OWNED CAMPS AND CLINICS AT ANY LOCATION -- CHAMPIONSHIP	NCAA Division I Championships/Sports Management Cabinet (Football Issues Committee)	Immediate	In championship subdivision football, to specify that an institution's camp or clinic may be conducted only during the months of June, July and August or any calendar week (Sunday through Saturday) that includes days of those months (e.g., May 28-June 3); further, to specify

Proposal Number	Title	Source	Effective Date	Intent
	SUBDIVISION FOOTBALL			that an institution's coach or noncoaching staff member with responsibilities specific to football may be employed in any capacity in a noninstitutional, privately owned camp or clinic at any location and only during the months of June, July and August or any calendar week (Sunday through Saturday) that includes days of those months (e.g., May 28-June 3).
2009-53	RECRUITING -- CAMPS AND CLINICS -- CONDUCTED DURING JUNE, JULY AND AUGUST -- FOOTBALL	Southern Conference	Immediate	In football, to specify that an institution's camp or clinic may be conducted only during the months of June, July and August or any calendar week (Sunday through Saturday) that includes days of those months.
2009-54	RECRUITING -- CAMPS AND CLINICS -- EMPLOYMENT IN NONINSTITUTIONAL, PRIVATELY OWNED CAMPS OR CLINICS AT ANY LOCATION -- FOOTBALL	Ivy Group	Immediate	In football, to specify that an institution's coach or noncoaching staff member with responsibilities specific to football may be employed in a noninstitutional, privately owned camp or clinic at any location during the two periods of 15 consecutive days in the months of June and July as declared by the institution.
2009-55	RECRUITING -- CAMPS AND CLINICS -- EMPLOYMENT OF COACH -- QUIET PERIOD -- WOMEN'S VOLLEYBALL	NCAA Division I Recruiting and Athletics Personnel Issues Cabinet		In women's volleyball, to specify that it is not permissible for a coach to be employed (either on a salaried or a volunteer basis) at an institutional or noninstitutional, privately owned camp or clinic conducted off the institution's campus during a quiet period.

Proposal Number	Title	Source	Effective Date	Intent
2009-56	RECRUITING -- USE OF RECRUITING FUNDS -- RECRUITING OR SCOUTING SERVICES -- CRITERIA FOR SUBSCRIPTION	NCAA Division I Championships/Sports Management Cabinet (Men's Basketball Issues Committee)	Immediate	To establish additional criteria that must be satisfied in order for an institution to subscribe to a recruiting or scouting service involving prospective student-athletes, as specified.
2009-57	ADMINISTRATIVE REGULATIONS -- RECRUITING CALENDARS -- FOOTBALL -- QUIET PERIODS IN JANUARY	Patriot League	Immediate	In football, to revise the recruiting calendar to eliminate the quiet periods in January, as specified.
2009-58	ADMINISTRATIVE REGULATIONS -- RECRUITING CALENDARS -- MEN'S SOCCER	Big West Conference		In men's soccer, to establish a recruiting calendar, as specified.
2009-59	ADMINISTRATIVE REGULATIONS -- RECRUITING CALENDARS -- WOMEN'S VOLLEYBALL -- EVALUATION PERIOD IN CONJUNCTION WITH CHAMPIONSHIP	NCAA Division I Recruiting and Athletics Personnel Issues Cabinet	Immediate	In women's volleyball, to designate Thursday of the Division I Women's Volleyball Championship through the Sunday immediately following the championship as an evaluation period; further, to specify that an institution's authorized coaching staff members may evaluate on only one day and may attend only one event on that day during this period, that the event shall occur within a 30-mile radius of the site of the championship and that coaches from the same institution who attend such an event shall attend the same event on the same day.
2009-60	ELIGIBILITY -- ACADEMIC WAIVERS -- AUTHORITY OF INITIAL-ELIGIBILITY	NCAA Division I Academics Cabinet	Immediate	To specify that the NCAA Division I Initial-Eligibility Waivers Committee shall be the final

Proposal Number	Title	Source	Effective Date	Intent
	WAIVERS COMMITTEE AND PROGRESS-TOWARD-DEGREE WAIVERS COMMITTEE			appellate body for initial-eligibility waivers and that the NCAA Division I Progress-Toward-Degree Waivers Committee shall be the final appellate body for progress-toward-degree waivers.
2009-61	ELIGIBILITY -- FULL TIME ENROLLMENT -- REQUIREMENT FOR PRACTICE -- WAIVER -- U.S. OLYMPIC COMMITTEE/NATIONAL GOVERNING BODY -- FORMER STUDENT ATHLETE AT ANOTHER INSTITUTION -- INDIVIDUAL SPORTS AND WOMEN'S ROWING	NCAA Division I Championships/Sports Management Cabinet (Olympic Sports Liaison Committee)		In individual sports and women's rowing, in a case in which the U.S. Olympic Committee or national governing body in the sport has recommended the individual's participation, to permit a former student-athlete who has graduated and has no eligibility remaining to participate in organized practice sessions at an institution other than the one he or she previously attended.
2009-62	ELIGIBILITY -- FULL-TIME ENROLLMENT -- REQUIREMENT FOR PRACTICE -- WAIVER -- U.S. OLYMPIC COMMITTEE/NATIONAL GOVERNING BODY -- FORMER STUDENT-ATHLETE -- DURATION OF WAIVER -- INDIVIDUAL SPORTS AND WOMEN'S ROWING	NCAA Division I Championships/Sports Management Cabinet (Olympic Sports Liaison Committee)		In individual sports and women's rowing, in a case in which the U.S. Olympic Committee or national governing body (NGB) in the sport has recommended the individual's participation, to specify that a former student-athlete's participation in organized practice sessions shall be limited to the number of years that allows the individual to practice with the institution's team in preparation for two consecutive Olympic Games following exhaustion of eligibility or completion of degree, whichever is earlier.
2009-63	ELIGIBILITY -- SEASONS OF COMPETITION -- CRITERIA FOR	Big East Conference		To specify that a student-athlete may engage in outside competition in either one alumni game,

Proposal Number	Title	Source	Effective Date	Intent
	DETERMINING SEASON OF COMPETITION -- ALUMNI GAME, FUNDRAISING ACTIVITY OR CELEBRITY SPORTS ACTIVITY			one fundraising activity or one celebrity sports activity during a season without counting such competition as a season of competition, provided the event is exempted from the institution's maximum number of contests or dates of competition as permitted in the particular sport per NCAA Bylaw 17.
2009-64	ELIGIBILITY -- FRESHMAN ACADEMIC REQUIREMENTS -- CORE-CURRICULUM REQUIREMENTS -- NONTRADITIONAL COURSES	NCAA Division I Academics Cabinet	August 1, 2010; for student-athletes initially enrolling full time in a collegiate institution on or after August 1, 2010	To specify that for purposes of using a nontraditional course to satisfy NCAA core-course requirements, the course must be one in which the instructor and the student have ongoing access to one another and regular interaction with one another for purposes of teaching, evaluating and providing assistance to the student throughout the duration of the course; the student's work (e.g., exams, papers, assignments) is available for review and validation; and a defined time period for completion of the course is included.
2009-65	ELIGIBILITY -- TRANSFER REGULATIONS -- FOUR-YEAR COLLEGE TRANSFERS -- ONE-TIME TRANSFER EXCEPTION -- WOMEN'S VOLLEYBALL	Mountain West Conference		To specify that the one-time transfer exception to the four-year transfer residence requirement is not applicable to student-athletes in women's volleyball.
2009-66	ELIGIBILITY -- TRANSFER REGULATIONS -- FOUR-YEAR COLLEGE TRANSFERS -- COMPETITION	Southeastern Conference		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

Proposal Number	Title	Source	Effective Date	Intent
	OR RECEIPT OF ATHLETICALLY RELATED FINANCIAL AID IN YEAR OF TRANSFER -- TENNIS			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 or received athletically related financial aid during the same academic year from the previous four-year institution.
2009-67	FINANCIAL AID -- TERMS AND CONDITIONS OF AWARDING INSTITUTIONAL FINANCIAL AID -- ONE-YEAR PERIOD -- DE MINIMIS VIOLATION	NCAA Division I Legislative Council (Committee on Student-Athlete Reinstatement)	Immediate	To specify that a violation of the financial aid regulations in which financial aid is awarded for less than one academic year shall be considered an institutional violation, but shall not affect the student-athlete's eligibility.
2009-68	FINANCIAL AID -- MIDYEAR REPLACEMENT -- GRADUATION DURING PREVIOUS YEAR -- WOMEN'S VOLLEYBALL	Atlantic Coast Conference		In women's volleyball, to specify that the financial aid of a counter who graduates at midyear or who graduates during the previous academic year (including summer) may be provided to another student-athlete without making the second student-athlete a counter for the remainder of that academic year.
2009-69	FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT -- EQUIVALENCY COMPUTATIONS -- EXCEPTIONS -- ACADEMIC HONOR AWARDS -- TRANSFER STUDENTS	Mountain West Conference		To specify that institutional academic honor awards that are part of an institution's normal arrangements for academic scholarships, based solely on the recipient's cumulative academic record from all collegiate institutions previously attended and awarded independently of athletics interests and in amounts consistent with the

Proposal Number	Title	Source	Effective Date	Intent
				pattern of all such awards made by the institution, may be exempted from a team's equivalency computation, provided the recipient achieved a cumulative transferable grade-point average of at least 3.300 (based on a maximum of 4.000).
2009-70	FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT -- WOMEN'S SAND VOLLEYBALL	NCAA Division I Awards, Benefits and Expenses and Financial Aid Cabinet		In sand volleyball, to establish the maximum equivalency and counter limitations, as specified.
2009-71	AWARDS, BENEFITS AND EXPENSES FOR ENROLLED STUDENT-ATHLETES -- HOUSING AND MEALS -- PERMISSIBLE PRESEASON PRACTICE EXPENSES -- DE MINIMIS VIOLATION	NCAA Division I Legislative Council (Committee on Student-Athlete Reinstatement)	Immediate	To specify that an inadvertent violation of the preseason practice expenses legislation shall be considered an institutional violation, but shall not affect the student-athlete's eligibility.
2009-72	AWARDS, BENEFITS AND EXPENSES -- EXPENSES FOR STUDENT-ATHLETE'S FRIENDS AND RELATIVES -- REASONABLE REFRESHMENTS	Big 12 Conference		To permit an institution to provide reasonable refreshments to the immediate family of a student-athlete for educational meetings or, on an occasional basis, for celebratory events.
2009-73	AWARDS, BENEFITS AND EXPENSES -- EXPENSES PROVIDED BY THE INSTITUTION FOR PRACTICE AND COMPETITION -- NONPERMISSIBLE -- LODGING IN CONJUNCTION WITH A REGULAR-SEASON HOME CONTEST	Pacific-10 Conference	Immediate	To specify that an institution shall not provide lodging (e.g., hotel, motel, resort) to student-athletes in conjunction with a regular-season home contest, unless the competition site is located more than 25 miles from its campus.
2009-74	AWARDS, BENEFITS AND EXPENSES --	Horizon League		To permit a representative of the institution's

Proposal Number	Title	Source	Effective Date	Intent
	BENEFITS, GIFTS AND SERVICES -- OCCASIONAL MEALS -- LOCATION OF MEAL PROVIDED BY REPRESENTATIVE OF ATHLETICS INTERESTS			athletics interests to provide an occasional meal to a student-athlete or the entire team in a sport on campus or in a facility that is regularly used for home competition.
2009-75	PLAYING AND PRACTICE SEASONS AND RECRUITING -- MANDATORY MEDICAL EXAMINATION -- SICKLE CELL SOLUBILITY TEST	Conference USA and Southwestern Athletic Conference		To specify that the required medical examination or evaluation that student-athletes who are beginning their initial season of eligibility and students who are trying out for a team must undergo prior to participation in voluntary summer conditioning or voluntary individual workouts pursuant to the safety exception, practice, competition or out-of-season conditioning activities shall include a sickle cell solubility test (SST).
2009-76	PLAYING AND PRACTICES SEASONS -- TIME LIMITS FOR ATHLETICALLY RELATED ACTIVITIES -- ADDITIONAL RESTRICTIONS -- COUNTABLE ATHLETICALLY RELATED ACTIVITIES BETWEEN MIDNIGHT AND 5 A.M.	Southeastern Conference	Immediate	To specify that countable athletically related activities shall not occur between midnight and 5 a.m., except for during participation in a conference championship or an NCAA championship, in any competition that begins prior to midnight and concludes after midnight, or a promotional practice activity (e.g., first practice of the season).
2009-77	PLAYING AND PRACTICE SEASONS -- WOMEN'S BASKETBALL -- PRESEASON PRACTICE -- ON-COURT PRACTICE -- 30 PRACTICES WITHIN 40 DAYS PRIOR TO FIRST CONTEST	Southeastern Conference and Big East Conference		In women's basketball, to specify that an institution shall not commence on-court preseason basketball practice sessions prior to 5 p.m. on the date that is 40 days prior to the date of the institution's first regular-season contest;

Proposal Number	Title	Source	Effective Date	Intent
				further, to specify that an institution shall not engage in more than 30 days of practice prior to its first regular-season contest.
2009-78	PLAYING AND PRACTICES SEASONS -- WOMEN'S BASKETBALL -- NUMBER OF CONTESTS -- MAXIMUM LIMITATIONS	Atlantic Coast Conference		In women's basketball, to specify that an institution shall limit its total regular-season playing schedule with outside competition to 26 contests and one qualifying regular-season multiple team event or 28 contests during a playing season in which the institution does not participate in a qualifying regular-season multiple team event.
2009-79	PLAYING AND PRACTICE SEASONS -- NONCHAMPIONSHIP SEGMENT -- TRAVEL RESTRICTIONS -- CROSS COUNTRY, FIELD HOCKEY, SOCCER, SOFTBALL AND VOLLEYBALL	Southeastern Conference		In cross country (for institutions without indoor or outdoor track and field), field hockey, soccer, softball and volleyball, to specify that team travel to competition in the nonchampionship segment shall be restricted to ground transportation.
2009-80	PLAYING AND PRACTICE SEASONS -- FOOTBALL -- FIRST CONTEST -- 14 WEEKS PRIOR TO DECEMBER 1	Conference USA	Immediate	In football, to specify that an institution shall not play its first contest (game or scrimmage) with outside competition prior to the Thursday preceding the 14th Saturday prior to December 1.
2009-81	PLAYING AND PRACTICE SEASONS -- FOOTBALL -- OUT-OF-SEASON ATHLETICALLY RELATED ACTIVITIES -- SUMMER CONDITIONING PERIOD	Mountain West Conference	Immediate	In football, to permit an institution to designate nine consecutive weeks between the conclusion of the academic year and the first permissible reporting date for preseason practice as its

Proposal Number	Title	Source	Effective Date	Intent
				summer conditioning period.
2009-82	PLAYING AND PRACTICE SEASONS -- LIMIT ON NUMBER OF STUDENT-ATHLETES ON AN OUTSIDE TEAM -- VACATION PERIOD EXCEPTION AND OUTSIDE TEAM TOURS -- WOMEN'S ROWING	Pacific-10 Conference	Immediate	In women's rowing, to specify that the number of student-athletes from any one institution who may compete outside of the institution's declared playing and practice season as a member of an outside team in any noncollegiate, amateur competition during any official academic year vacation period published in the institution's catalog and who may participate in international competition as a member of an outside team on a foreign tour shall not exceed two.
2009-83	PLAYING AND PRACTICE SEASONS AND DIVISION MEMBERSHIP -- REGULATIONS FOR PLAYING SEASON AND MINIMUM CONTEST REQUIREMENTS FOR SPORTS SPONSORSHIP -- WOMEN'S SAND VOLLEYBALL	Sun Belt Conference		In women's sand volleyball, to establish the playing and practice season and the minimum number of contests necessary for sports sponsorship purposes, as specified.
2009-84	PLAYING AND PRACTICE SEASONS -- GENERAL PLAYING AND PRACTICE SEASON REGULATIONS -- PRESEASON PRACTICE -- WOMEN'S SOCCER	Southeastern Conference		In women's soccer, to increase the preseason practice units from 21 to 29; further, to establish criteria governing the activities permitted during the preseason practice period, as specified.
2009-85	PLAYING AND PRACTICE SEASONS -- SOFTBALL -- PRESEASON PRACTICE AND FIRST CONTEST DATE -- NONCHAMPIONSHIP SEGMENT	Big Ten Conference		In softball, to specify that an institution that has not begun classes by September 15 may commence preseason practice sessions on or after that date and may play its first contest

Proposal Number	Title	Source	Effective Date	Intent
				(game or scrimmage) against outside competition on or after that date.
2009-86	ATHLETICS CERTIFICATION -- MANDATORY SELF-STUDY AND EXTERNAL PEER REVIEW -- ACADEMIC INTEGRITY -- ACADEMIC STANDARDS -- RETENTION	NCAA Division I Legislative Council (Committee on Athletics Certification)	Immediate	To specify that if the retention of any student-athlete subgroup is lower than that of all student-athletes, the disparity shall be analyzed, explained and, if necessary, addressed through specific plans for improvement by appropriate institutional authorities.
2009-87	ADMINISTRATIVE REGULATIONS -- FOREIGN TOURS AND COMPETITION -- NO INSTITUTIONAL OR CONFERENCE FOREIGN TOURS	Pacific-10 Conference	Immediate; however, a contract signed before August 14, 2009 may be honored.	To specify that an institution or conference shall not sponsor or participate in a foreign tour.
2009-88	ADMINISTRATIVE REGULATIONS -- FOREIGN TOURS AND COMPETITION -- ELIGIBILITY OF STUDENT-ATHLETES -- INCOMING-STUDENT PARTICIPATION -- BASKETBALL	Atlantic 10 Conference		In basketball, to permit an incoming student-athlete (freshman or transfer) to represent the institution on a foreign tour that occurs during the summer prior to his or her initial full-time enrollment at the certifying institution, provided: (a) he or she has earned at least three hours of acceptable degree credit during the summer term at the certifying institution; and (b) he or she is eligible to represent the institution in intercollegiate competition during the academic year immediately following the tour; further, to specify that a basketball student-athlete shall not

Proposal Number	Title	Source	Effective Date	Intent
				participate in more than one institutional foreign tour.

Legislative Item - Request for Action by the NCAA Division I Board of Directors

NCAA Proposal No. 2009-94

ADMINISTRATIVE REGULATIONS -- BASKETBALL EVENT CERTIFICATION -- WOMEN'S BASKETBALL -- GEOGRAPHIC REQUIREMENT

Intent: In women's basketball, to specify that in order for a basketball event to be certified, participants on nonscholastic teams in a certified event must be legal residents of the state in which the team is located or a geographically adjoining state and not more than a total of three prospective student-athletes from adjoining states may participate on any one nonscholastic team.

Administrative: Amend 30.16, as follows:

30.16 BASKETBALL EVENT CERTIFICATION – WOMEN'S BASKETBALL

In women's basketball, in order for a basketball event (e.g., camp, league, tournament or festival) to be certified, a certification application form must be submitted each year to the NCAA national office 45 days prior to the start of the event. An event review form for each event also must be submitted to the NCAA national office not later than three months following the event sessions. The following criteria must be met by each event in order to be certified:

[30.16-(a) through 30.16-(n) unchanged.]

(o) The price of an event packet must be listed on the event certification application and the price must be made available to coaches prior to their arrival at the event; ~~*and*~~

(p) The event operator must provide proof of medical insurance coverage for event participants**; and**

(q) Prospective student-athletes on nonscholastic teams must be legal residents of the state in which the team is located or a geographically adjoining state and not more than a total of three prospective student-athletes from adjoining states may participate on any one nonscholastic team.

Source: NCAA Division I Championships/Sports Management Cabinet

Effective Date: Immediate

Proposal Category: Amendment

Topical Area: Administrative Regulations

Rationale: This proposal creates an "adjoining state" rule that discourages the "rental" of elite prospective student-athletes by teams across the country, while providing prospective student-athletes who reside in geographically remote areas the opportunity to participate on a nonscholastic team. The same provision has been in place for men's basketball since 2003. In recent years there has been an increase in the number of elite prospective student-athletes who participate on nonscholastic teams located several states away from their legal residence. According to the NCAA basketball event certification staff, in the summer of 2008, 189 of 3,050 teams would not have met the adjoining state rule and in the summer of 2009, 240 of 3,098 teams would not have met the rule. In 2008, Ninety-nine teams had players from states that did not adjoin at all, and 90 teams had more than three players from adjoining states. This proposal should be adopted as emergency legislation so it can be effective for the summer of 2010 and provide ample time to notify the event operators and coaches of this change.

Estimated Budget Impact: None

Impact on Student-Athlete's Time: None

History

Sep 15, 2009: Submit; Submitted for consideration.

Sep 16, 2009: Championships/Sports Management Cabinet, Sponsored

Sep 16, 2009: Championships/Sports Management Cabinet, Recommends Approval as Noncontroversial Legislation

Oct 19, 2009: Leg Council Init Review; Recommended that the NCAA Board of Directors sponsor the proposal into the 2009-10 legislative cycle.

ATTACHMENT B
SUPPLEMENT NO. 12B
DI Board of Directors 10/09

NCAA Division I Legislative Council Action Related to Proposals Recommended as Emergency or Noncontroversial Legislation

Proposal Number	Title	Source	Effective Date	Intent	LGC Action
2009-25	AMATEURISM -- PROMOTIONAL ACTIVITIES -- INSTITUTIONAL, CHARITABLE, EDUCATION OR NONPROFIT PROMOTIONS -- RELEASE STATEMENT – DE MINIMIS VIOLATION	NCAA Division I Legislative Council (Administrative Committee) (Committee on Student-Athlete Reinstatement)	Immediate	To specify that a violation of the promotional activities legislation in which the only condition of the legislation not satisfied is the requirement that the student-athlete and an authorized representative of the charitable, educational or nonprofit agency sign a release statement shall not affect the student-athlete's eligibility, provided the release statement would have been signed if such a request had been made.	Supported as noncontroversial legislation. Adopted.
2009-46	RECRUITING -- OFFICIAL VISIT -- NUMBER OF OFFICIAL VISITS -- INSTITUTIONAL LIMITATION -- DE MINIMIS VIOLATION	NCAA Division I Legislative Council (Administrative Committee) (Committee on Student-Athlete Reinstatement)	Immediate	To specify that a violation of the institutional limitation on the number of official visits shall be considered an institutional violation, but shall not affect the prospective student-athlete's eligibility.	Supported as noncontroversial legislation. Adopted.

Proposal Number	Title	Source	Effective Date	Intent	LGC Action
2009-59	ADMINISTRATIVE REGULATIONS -- RECRUITING CALENDARS -- WOMEN'S VOLLEYBALL -- EVALUATION PERIOD IN CONJUNCTION WITH CHAMPIONSHIP	NCAA Division I Recruiting and Athletics Personnel Issues Cabinet	Immediate	In women's volleyball, to designate Thursday of the NCAA Division I Women's Volleyball Championship through the Sunday immediately following the championship as an evaluation period; further, to specify that an institution's authorized coaching staff members may evaluate on only one day and may attend only one event on that day during this period; that the event shall occur within a 30-mile radius of the site of the championship; that coaches from the same institution who attend such an event shall attend the same event on the same day; and that coaches shall not attend events that occur at the same time that any intercollegiate competition in conjunction with the NCAA championship occurs.	Supported as noncontroversial legislation. Adopted.
2009-67	FINANCIAL AID -- TERMS AND CONDITIONS OF AWARDING INSTITUTIONAL FINANCIAL AID -- ONE-YEAR PERIOD -- DE MINIMIS VIOLATION	NCAA Division I Legislative Council (Administrative Committee) (Committee on Student-Athlete Reinstatement)	Immediate	To specify that a violation of the financial aid regulations in which financial aid is awarded for less than one academic year shall be considered an institutional violation, but shall not affect the student-athlete's eligibility.	Supported as noncontroversial legislation. Adopted.

Proposal Number	Title	Source	Effective Date	Intent	LGC Action
2009-71	AWARDS, BENEFITS AND EXPENSES FOR ENROLLED STUDENT-ATHLETES -- HOUSING AND MEALS -- PERMISSIBLE PRESEASON PRACTICE EXPENSES -- DE MINIMIS VIOLATION	NCAA Division I Legislative Council (Administrative Committee) (Committee on Student-Athlete Reinstatement)	Immediate	To specify that a violation of the preseason practice expenses legislation due to a miscalculation of the permissible start date for preseason practice shall be considered an institutional violation, but shall not affect the student-athlete's eligibility.	Supported as noncontroversial legislation. Adopted.
2009-89	AWARDS, BENEFITS AND EXPENSES FOR ENROLLED STUDENT-ATHLETES -- HOUSING AND MEALS -- PERMISSIBLE PRESEASON PRACTICE EXPENSES -- DE MINIMIS VIOLATION	NCAA Division I Amateurism Cabinet	Immediate	To specify that a student-athlete may practice, but not compete, for a period of 45 days before his or her amateur status has been certified by the NCAA Eligibility Center.	Supported as noncontroversial legislation. Adopted.

2009-90	COMMITTEES -- COMMON COMMITTEES -- COMMITTEES WITH ONLY CHAMPIONSHIPS ADMINISTRATION RESPONSIBILITIES -- WOMEN'S ICE HOCKEY COMMITTEE COMPOSITION	NCAA Division I Championships/Sports Management Cabinet	August 1, 2010	In women's ice hockey, to specify that the NCAA Division I Women's Ice Hockey Committee shall be composed of three members from Division I and one at-large member.	Supported as noncontroversial legislation. Adopted.

Proposal Number	Title	Source	Effective Date	Intent	LGC Action
2009-91	COMMITTEES -- COMMON COMMITTEES -- COMMITTEES WITH GOVERNANCE ADMINISTRATION RESPONSIBILITIES -- INTERNATIONAL STUDENT RECORDS COMMITTEE -- COMPOSITION	NCAA Division I Academics Cabinet	Immediate	To specify that the NCAA Division I International Student Records Committee shall consist of six members, including two Division I representatives, two Division II representatives and two representatives who may be from either Division I or Division II.	Supported as noncontroversial legislation. Adopted.
2009-92	COMMITTEES -- DIVISION I CABINETS AND COMMITTEES -- COMMITTEES WITH CHAMPIONSHIPS ADMINISTRATION AND SPORTS ISSUES RESPONSIBILITIES -- MEN'S ICE HOCKEY COMMITTEE COMPOSITION	NCAA Division I Championships/Sports Management Cabinet	August 1, 2010	To specify that the NCAA Division I Men's Ice Hockey Committee may include members from Division II or Division III institutions that sponsor Division I men's ice hockey.	Supported as noncontroversial legislation. Adopted.

Proposal Number	Title	Source	Effective Date	Intent	LGC Action
2009-93	EXECUTIVE REGULATIONS -- ADMINISTRATION OF NCAA CHAMPIONSHIPS -- FAILURE TO ADHERE TO POLICIES AND PROCEDURES -- MAXIMUM FINANCIAL PENALTY	NCAA Division I Championships/Sports Management Cabinet	Immediate	To increase the maximum penalty that may be imposed for an institution's failure to adhere to published administrative procedures for the submission of regular-season results, availability questionnaires and/or entry forms, without prior approval from the Championships/Sports Management Cabinet, from $300 to $600.	Supported as noncontroversial legislation. Adopted.
2009-94	ADMINISTRATIVE REGULATIONS -- BASKETBALL EVENT CERTIFICATION -- WOMEN'S BASKETBALL -- GEOGRAPHIC REQUIREMENT	NCAA Division I Championships/Sports Management Cabinet	Immediate	In women's basketball, to specify that in order for a basketball event to be certified, participants on nonscholastic teams in a certified event must be legal residents of the state in which the team is located or a geographically adjoining state and not more than a total of three prospective student-athletes from adjoining states may participate on any one nonscholastic team.	Recommended that the NCAA Board of Directors sponsor the proposal into the 2009-10 legislative cycle.

Conference - Voting Delegate	Conference Type	Voting Weight	Approve LRIC minutes	Amendments to SLR waiver policies	2009-25 as noncontroversial	2009-25	2009-46 as noncontroversial	2009-46	2009-59 as noncontroversial	2009-59	2009-67 as noncontroversial	2009-67	Modify 2009-71	
America East C. Doyle	I	1.2	S	S	S	S	S	S	S	S	S	S	S	
Atlantic 10 E. Pasque	I	1.2	S	S	S	S	S	S	S	S	S	S	S	
Atlantic Coast S. Lyons	FBS	3	S	S	S	S	S	S	O	S	S	S	S	
Atlantic Sun B. Breedlove	I	1.2	S	S	S	S	S	S	S	S	S	S	S	
Big 12 L. Ebihara	FBS	3	S	S	S	S	S	S	S	S	S	S	S	
Big East J. F. D'Antonio, Jr.	FBS	3	S	S	S	S	S	S	S	S	S	S	S	
Big Sky J. Gee	FCS	1.2	S	S	S	S	S	S	O	S	S	S	S	
Big South M. Eaker	FCS	1.2	S	S	S	S	S	S	O	S	S	S	S	
Big Ten B. Jaffee	FBS	3	S	S	S	S	S	S	O	S	S	S	S	
Big West E. Monteabaro	I	1.2	S	S	S	S	S	S	S	S	S	S	S	
Colonial Athletic Association S. Groff	FCS	1.2	S	S	S	S	S	S	S	S	S	S	S	
Conference USA R. Philippi	FBS	3	S	S	S	S	S	S	S	S	S	S	S	
Horizon League E. Jacobs	I	1.2	S	S	S	S	S	S	S	S	S	S	S	
Ivy Group C. Campbell-McGovern	FCS	1.2	S	S	S	S	S	S	S	S	S	S	S	
Metro Atlantic Athletic W. Maher	I	1.2	S	S	S	S	S	S	S	S	S	S	S	
Mid-American J. Mynarski	FBS	1.5	S	S	S	S	S	S	S	S	S	S	S	
Mid-Eastern Athletic S. Stills	FCS	1.2	S	S	S	S	S	S	S	S	S	S	S	
Missouri Valley M. Mulvenna	FCS	1.2	S	S	S	S	S	S	S	S	S	S	S	
Mountain West J. Ruggiero	FBS	1.5	S	S	S	S	S	S	S	S	S	S	S	
Northeast M. Hefferan	FCS	1.2	S	S	S	S	S	S	S	S	S	S	S	
Ohio Valley B. DeBauche	FCS	1.2	S	S	S	S	S	S	S	S	S	S	S	
Pacific-10 K. Koong	FBS	3	S	S	S	S	S	S	S	S	S	S	S	
Patriot League P. Muffley	FCS	1.2	S	S	S	S	S	S	S	S	S	S	S	
Southeastern G. Sankey	FBS	3	S	S	S	S	S	S	O	S	S	S	S	
Southern D. King	FCS	1.2	S	S	S	S	S	S	S	S	S	S	S	
Southland T. Shoemake	FCS	1.2	S	S	S	S	S	S	S	S	S	S	S	
Southwestern Athletic A. Robinson	FCS	1.2	S	S	S	S	S	S	S	S	S	S	S	
Sun Belt C. Angelos	FBS	1.5	S	S	S	S	S	S	S	S	S	S	S	
Summit League A. Torain	I	1.2	S	S	S	S	S	S	S	S	S	S	S	
West Coast K. Peters	I	1.2	S	S	S	S	S	S	O	O	S	S	S	
Western Athletic R. Spear	FBS	1.5	S	S	S	S	S	S	S	S	S	S	S	
		Support (S)	51	51	51	51	51	51	38.4	49.8	51	51	51	
		Oppose (O)	0	0	0	0	0	0	12.6	1.2	0	0	0	
		Abstain (A)	0	0	0	0	0	0	0	0	0	0	0	
		No Vote Cast (Blank)	0	0	0	0	0	0	0	0	0	0	0	
		Total	51	51	51	51	51	51	51	51	51	51	51	

Conference - Voting Delegate	Conference Type	Voting Weight	2009-71 as noncontroversial	2009-71	2009-89 as noncontroversial	2009-89	2009-90 as noncontroversial	2009-90	2009-91 as noncontroversial	2009-91	2009-92 as noncontroversial	2009-92	2009-93 as noncontroversial	
America East C. Doyle	I	1.2	S	S	O	S	S	S	S	S	O	O	S	
Atlantic 10 E. Pasque	I	1.2	S	S	S	S	S	S	S	S	S	S	S	
Atlantic Coast S. Lyons	FBS	3	S	S	S	S	O	S	S	S	S	S	S	
Atlantic Sun B. Breedlove	I	1.2	S	S	S	S	S	S	S	S	S	S	S	
Big 12 L. Ebihara	FBS	3	S	S	S	S	S	S	S	S	S	S	S	
Big East J. F. D'Antonio, Jr.	FBS	3	S	S	S	S	S	S	S	S	S	S	O	
Big Sky J. Gee	FCS	1.2	S	S	S	S	S	S	S	S	S	S	S	
Big South M. Eaker	FCS	1.2	S	S	S	S	A	A	S	S	A	A	S	
Big Ten B. Jaffee	FBS	3	S	S	O	O	S	S	S	S	S	S	S	
Big West E. Monteabaro	I	1.2	S	S	S	S	A	A	S	S	A	A	S	
Colonial Athletic Association S. Groff	FCS	1.2	S	S	S	S	A	A	S	S	A	A	O	
Conference USA R. Philippi	FBS	3	S	S	S	S	O	S	O	S	S	S	S	
Horizon League E. Jacobs	I	1.2	S	S	S	S	S	S	S	S	S	S	S	
Ivy Group C. Campbell-McGovern	FCS	1.2	S	S	S	S	S	S	S	S	S	S	S	
Metro Atlantic Athletic W. Maher	I	1.2	S	S	S	S	S	S	S	S	O	S	O	
Mid-American J. Mynarski	FBS	1.5	S	S	S	S	S	S	S	S	S	S	S	
Mid-Eastern Athletic S. Stills	FCS	1.2	S	S	S	S	S	A	S	S	A	A	S	
Missouri Valley M. Mulvenna	FCS	1.2	S	S	S	S	A	S	S	S	A	S	S	
Mountain West J. Ruggiero	FBS	1.5	S	S	S	S	S	S	S	S	S	S	S	
Northeast M. Hefferan	FCS	1.2	S	S	O	S	S	S	S	S	S	S	S	
Ohio Valley B. DeBauche	FCS	1.2	S	S	S	S	S	S	S	S	O	O		
Pacific-10 K. Koong	FBS	3	S	S	O	S	S	S	S	S	S	S	S	
Patriot League P. Muffley	FCS	1.2	S	S	S	S	S	S	S	S	A	S	S	
Southeastern G. Sankey	FBS	3	S	S	S	S	O	A	S	S	O	A	S	
Southern D. King	FCS	1.2	S	S	O	S	S	S	S	S	S	S	S	
Southland T. Shoemake	FCS	1.2	S	S	S	S	S	A	S	S	S	A	S	
Southwestern Athletic A. Robinson	FCS	1.2	S	S	S	S	S	S	S	S	A	A	S	
Sun Belt C. Angelos	FBS	1.5	S	S	S	S	S	S	S	S	S	S	S	
Summit League A. Torain	I	1.2	S	S	S	S	S	S	S	S	S	S	S	
West Coast K. Peters	I	1.2	S	S	S	S	A	A	S	S	A	A	S	
Western Athletic R. Spear	FBS	1.5	S	S	O	S	S	A	S	S	S	A	S	
		Support (S)	51	51	39.9	48	36	39.3	48	51	34.8	35.7	44.4	
		Oppose (O)	0	0	11.1	3	9	0	3	0	6.6	2.4	5.4	
		Abstain (A)	0	0	0	0	6	11.7	0	0	9.6	12.9	0	
		No Vote Cast (Blank)	0	0	0	0	0	0	0	0	0	0	1.2	
		Total	51	51	51	51	51	51	51	51	51	51	51	

Conference - Voting Delegate	Conference Type	Voting Weight	2009-93	Request BOD to sponsor 2009-94 into the 2009-10 legislative cycle	Sponsor alternative to 2009-19	Sponsor alternative to 2009-30	Sponsor alternative to 2009-51	Sponsor alternative to 2009-54 (FBS Only)	Sponsor alternative to 2009-75
America East C. Doyle	I	1.2	S	S	S	S	S		S
Atlantic 10 E. Pasque	I	1.2	S	S	O	S	O		A
Atlantic Coast S. Lyons	FBS	3	S	S	O	S	S	S	
Atlantic Sun B. Breedlove	I	1.2	S	O	O	S	S		S
Big 12 L. Ebihara	FBS	3	S	S	O	S	S	S	
Big East J. F. D'Antonio, Jr.	FBS	3	S	S	O	S	S	S	S
Big Sky J. Gee	FCS	1.2	S	S	O	S	S		S
Big South M. Eaker	FCS	1.2	S	S	S	S	S		S
Big Ten B. Jaffee	FBS	3	S	S	S	S	S	S	S
Big West E. Monteabaro	I	1.2	S	S	O	S	S		S
Colonial Athletic Association S. Groff	FCS	1.2	O	S	S	S	S		S
Conference USA R. Philippi	FBS	3	O	S	S	S	S	S	A
Horizon League E. Jacobs	I	1.2	S	S	S	S	S		S
Ivy Group C. Campbell-McGovern	FCS	1.2	S	S	S	S	S		S
Metro Atlantic Athletic W. Maher	I	1.2	O	S	S	S	S		O
Mid-American J. Mynarski	FBS	1.5	S	S	S	S	S	S	S
Mid-Eastern Athletic S. Stills	FCS	1.2	S	S	S	S	S		S
Missouri Valley M. Mulvenna	FCS	1.2	S	S	O	S	S		S
Mountain West J. Ruggiero	FBS	1.5	S	S	O	S	S	O	O
Northeast M. Hefferan	FCS	1.2	S	S	S	S	S		S
Ohio Valley B. DeBauche	FCS	1.2	S	S	O	S	S		O
Pacific-10 K. Koong	FBS	3	S	S	A	S	S	O	
Patriot League P. Muffley	FCS	1.2	S	S	S	S	S		S
Southeastern G. Sankey	FBS	3	S	S	O	S	S	S	
Southern D. King	FCS	1.2	S	S	S	S	S		O
Southland T. Shoemake	FCS	1.2	S	S		S	S		S
Southwestern Athletic A. Robinson	FCS	1.2	S	S	S	S			S
Sun Belt C. Angelos	FBS	1.5	S	S	O	S	S	O	O
Summit League A. Torain	I	1.2	S	S	S	S	S		S
West Coast K. Peters	I	1.2	S	S	S	S	S		S
Western Athletic R. Spear	FBS	1.5	S	S	S	S	S	S	S
		Support (S)	45.6	49.8	24.6	51	48.6	8	28.2
		Oppose (O)	5.4	1.2	22.2	0	1.2	3	6.6
		Abstain (A)	0	0	3	0	0	0	4.2
		No Vote Cast (Blank)	0	0	1.2	0	1.2	0	12
		Total	51	51	51	51	51	11	51

ATTACHMENT D
SUPPLEMENT NO. 8B
DI Presidential Advisory Group 10/09

NCAA Division I Legislative Council
Actions, Preliminary Positions, Points to Consider, Comments and Mootnicity Implications Related to 2009-10 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 schedule for initial consideration in January 2010.

Please note that a position of preliminary support for 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 2010.

Please note that the NCAA Division I Official Notice will be available on the NCAA Web site by November 15, 2009. The Official Notice will include all of the 2009-10 legislative cycle proposals that are to be initially considered in January 2010.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-9	ETHICAL CONDUCT -- UNETHICAL CONDUCT -- KNOWINGLY INFLUENCING OTHERS TO FURNISH FALSE OR MISLEADING INFORMATION	To specify that knowingly influencing others to furnish the NCAA or an individual's institution false or misleading information concerning an individual's involvement in or knowledge of matters relevant to a possible violation of an NCAA regulation constitutes unethical conduct.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-10	PERSONNEL -- DEFINITIONS AND APPLICATIONS -- GRADUATE-ASSISTANT COACH -- EMPLOYMENT WITHIN SEVEN YEARS OF GRADUATION OR EXHAUSTING ELIGIBILITY -- BOWL SUBDIVISION FOOTBALL	In bowl subdivision football, to specify that a graduate-assistant coach is any coach who has received a baccalaureate degree or has exhausted athletics eligibility (whichever occurs later) within the previous seven years and qualifies for appointment as a graduate assistant under the policies of the institution.	• The sponsors clarified that appointment to a graduate assistant position must be within seven years of receiving baccalaureate degree or exhausting eligibility. • Noted the abuses the proposal is designed to address, but expressed concerns as to whether the seven-year period is a reasonable restriction. • Should more uniform restrictions/requirements [e.g., term-to-term academic requirements, no previous coaching experience at a four-year collegiate institution or professional league] be considered as opposed to a time restriction?
2009-11	PERSONNEL -- DEFINITIONS AND APPLICATIONS -- GRADUATE-ASSISTANT COACH -- BOWL SUBDIVISION FOOTBALL AND WOMEN'S ROWING -- LESS THAN 50 PERCENT OF FULL-TIME ENROLLMENT DURING FINAL TERM	In bowl subdivision football and women's rowing, to specify that a graduate-assistant coach may be enrolled in less than 50 percent of the institution's minimum regular graduate program of studies during his or her final semester or quarter of the degree program, provided he or she is carrying (for credit) the courses necessary to complete the degree requirements.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-12-A	PERSONNEL -- DEFINITIONS AND APPLICATIONS -- UNDERGRADUATE STUDENT-ASSISTANT COACH	To permit a student-athlete to serve as an undergraduate student-assistant coach at the institution at which the student-athlete most recently participated in intercollegiate athletics, provided the student-athlete is currently enrolled at the institution as a full-time undergraduate student who has exhausted his or her eligibility in the sport or has become injured to the point that he or she is unable to practice or compete ever again; further, to specify that the limit of undergraduate student-assistant coaches in each sport shall be the same as the limit of countable coaches permitted in the sport.	• Noted the proposal eliminates the requirement that the former student-athlete may only serve as a coach during his or her five-year eligibility period. • Noted the proposal applies only to the former student-athlete pursuing his or her first baccalaureate degree [as opposed to a graduate degree] at the institution where the student-athlete most recently participated in athletics. • Places numerical limitations identical to the limit of countable coaches in the sport. • Expressed concerns about former male student-athletes serving as undergraduate assistants in women's sports and being used primarily as practice players. • Adoption of NCAA Division I Proposal No. 2009-12-A renders Proposal No. 2009-12-B moot.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-12-B	PERSONNEL -- DEFINITIONS AND APPLICATIONS -- STUDENT-ASSISTANT COACH -- FIVE-YEAR ELIGIBILITY PERIOD	To eliminate the requirement that a student-athlete, who has exhausted his or her eligibility in the sport or has become injured to the point that he or she is unable to practice or compete ever again, may only participate as a student-assistant coach within his or her five-year eligibility period.	• Noted the proposal eliminates the requirement that the former student-athlete may only serve as a coach within his or her five-year eligibility period. • Noted the proposal does not change the current rule, which applies to former student-athletes pursuing a baccalaureate or graduate degree. • Expressed concerns about former male student-athletes serving as student assistants in women's sports and being used primarily as practice players. • Proposal No. 2009-12-B rendered moot by the adoption of Proposal No. 2009-12-A.
2009-13	PERSONNEL AND RECRUITING -- RECRUITING COORDINATION FUNCTIONS -- PERMISSIBLE CALLERS -- EXCEPTION -- VOLUNTEER COACH -- TRACK AND FIELD	In track and field, to permit a volunteer coach to make telephone calls to and receive telephone calls from a prospective student-athlete, provided the coach has successfully completed the coaches' certification exam.	Preliminary opposition.
2009-14-A	PERSONNEL -- DEFINITIONS AND APPLICATIONS -- MANAGER -- FORFEITURE OF ELIGIBILITY IN BASEBALL	To establish criteria by which an individual may serve as a manager, as specified.	Preliminary support. • Adoption of Proposal No. 2009-14-A renders Proposal No. 2009-14-B moot.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-14-B	PERSONNEL -- DEFINITIONS AND APPLICATIONS -- MANAGER	To establish criteria by which an individual may serve as a manager, as specified.	• Noted the proposal removes the “forfeiture of eligibility” condition for a baseball manager. • Expressed preference for Proposal No. 2009-14-A. • Proposal No. 2009-14-B rendered moot by the adoption of Proposal No.2009-14-A.
2009-15	PERSONNEL -- LIMITATIONS ON THE NUMBER AND DUTIES OF COACHES -- NONCOACHING ACTIVITIES -- NONCOACHING ATHLETICS STAFF MEMBER WITH SPORT-SPECIFIC RESPONSIBILITIES	To permit noncoaching staff with sport-specific responsibilities to participate in organized activities involving only the coaching staff or administrative duties (e.g., attend meetings involving coaching activities, analyze video of the institution's or an opponent's team, track statistics during practice or competition).	• Expressed concerns regarding potential competitive advantages [e.g., multiple video analysts]. • Expressed concern that the proposal does not send the appropriate message that such positions are supposed to be noncoaching positions.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-16-A	PERSONNEL -- LIMITATIONS ON THE NUMBER AND DUTIES OF COACHES -- CONTACT AND EVALUATION OF PROSPECTIVE STUDENT-ATHLETES -- FALL EVALUATION PERIOD -- EXCEPTION -- FOOTBALL	In football, to permit ten coaches to recruit off campus at any one time during the fall evaluation period during any week (Sunday through Saturday) in which no regular season competition is scheduled.	Preliminary support. • Noted that a week is defined as the seven day period from Sunday through Saturday. • Generally provides for ten coaches to be involved in off-campus recruiting activities during one week [the bye week] during the fall evaluation period. • Adoption of Proposal No. 2009-16-B renders Proposal No. 2009-16-A moot.
2009-16-B	PERSONNEL -- LIMITATIONS ON THE NUMBER AND DUTIES OF COACHES -- CONTACT AND EVALUATION OF PROSPECTIVE STUDENT-ATHLETES -- FALL EVALUATION PERIOD -- EXCEPTION -- FOOTBALL -- ANY SEVEN DAY PERIOD	In football, to permit ten coaches to recruit off campus at any one time during the fall evaluation period during any week (seven consecutive days) in which no regular season competition is scheduled.	Preliminary support. • Noted that a week is defined as any seven consecutive-day period. • Expressed concern that ten coaches may be involved in off-campus recruiting activities during several weeks of the fall evaluation period; suggested sponsors consider limiting the application to one period of seven consecutive days during the fall evaluation period. • Proposal No. 2009-16-B renders Proposal No. 2009-16-A moot.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-17	PERSONNEL -- CERTIFICATION TO RECRUIT OFF CAMPUS -- CERTIFICATION ADMINISTRATION -- FACULTY ATHLETICS REPRESENTATIVE	To specify that an institution's faculty athletics representative shall administer the annual coaches' certification test; further, to specify that if the faculty athletics representative is unable to administer the test, he or she shall appoint an institutional staff member outside the athletics department to administer the test.	Preliminary opposition.
2009-18	PERSONNEL AND RECRUITING -- RECRUITING COORDINATION FUNCTIONS -- EXCEPTION -- NONCOACHING STAFF MEMBERS AND NONCOUNTABLE COACHES -- TELEPHONE CALLS IN CONJUNCTION WITH OFFICIAL VISIT	To permit a noncoaching staff member or a noncountable coach to initiate telephone calls to and receive telephone calls from a prospective student-athlete or those individuals accompanying the prospective student-athlete during the prospective student-athlete's official visit transportation and during his or her official visit; further; to specify that athletics department staff members may make unlimited telephone calls to the prospective student-athlete or those individuals accompanying the prospective student-athlete during the prospective student-athlete's official visit transportation and during his or her official visit.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-19-A	PERSONNEL -- LIMITATIONS ON NUMBER OF COACHES AND OFF-CAMPUS RECRUITERS -- WOMEN'S SAND VOLLEYBALL AND WOMEN'S VOLLEYBALL	To specify that an institution that sponsors only women's sand volleyball shall have a limit of two coaches who may be employed and a limit of two coaches who may contact or evaluate prospective student-athletes off-campus at any one time; further, to specify that an institution that sponsors women's sand volleyball and women's volleyball shall have a limit of four coaches who may be employed and a limit of two coaches who may contact or evaluate prospective student-athletes off-campus at any one time.	• Agreed it is advisable to send the proposal out for comment in January and defer final action until the April Legislative Council meeting pending the outcome of the override vote on Proposal No. 2008-59 at the 2010 NCAA Convention. • Sponsored an alternative proposal (Proposal No. 2009-19-B) to establish separate coaching limits for both women's volleyball and women's sand volleyball.
2009-19-B	PERSONNEL -- LIMITATIONS ON NUMBER OF COACHES AND OFF-CAMPUS RECRUITERS -- WOMEN'S SAND VOLLEYBALL	In women's sand volleyball, to specify that the limit on the number of coaches who may be employed is two and the limit on the number of coaches who may contact or evaluate prospective student-athletes off-campus at any one time is two.	Agreed it is advisable to send the proposal out for comment in January and defer final action until the April Legislative Council meeting pending the outcome of the override vote on Proposal No. 2008-59 at the 2010 NCAA Convention.
2009-20	PERSONNEL -- LIMITATIONS ON THE NUMBER OF OFF-CAMPUS RECRUITERS -- ON-CAMPUS EVENTS -- WOMEN'S BASKETBALL	In women's basketball, to specify that a coaching staff member who attends an athletics event on the institution's campus that involves women's basketball prospective student-athletes is considered an off-campus recruiter.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-22	AMATEURISM AND ELIGIBILITY -- INVOLVEMENT WITH PROFESSIONAL TEAMS -- EXCEPTION -- PRIOR TO INITIAL FULL-TIME COLLEGIATE ENROLLMENT -- DELAYED ENROLLMENT -- SEASONS OF COMPETITION -- SPORTS OTHER THAN MEN'S ICE HOCKEY	In sports other than men's ice hockey, to specify that prior to initial full-time collegiate enrollment, an individual may enter into an agreement to compete on a professional team and compete on a professional team, provided the agreement does not guarantee or promise payment [at any time]in excess of more than actual and necessary expenses to participate on the team; further, in sports other than men's ice hockey tennis, swimming and diving and women's volleyball, to specify that a student athlete who does not initially enroll full-time in a collegiate institution within one year (six months for tennis) or the next opportunity to enroll following the high school graduation date of the prospective student-athlete's class and participates in organized events after the specified time period shall be charged with a season of intercollegiate competition for each year of participation and shall fulfill an academic year in residence (one year for each year of competition in tennis) on matriculation at the certifying institution before being eligible to represent the institution in intercollegiate competition.	Agreed with the Amateurism Cabinet's preference not to vote separately on the subparagraph related to participating on a professional team and the subparagraph related to the impact on eligibility [the organized competition rule].

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-23	AMATEURISM AND AWARDS, BENEFITS AND EXPENSES -- EXCEPTIONS TO AMATEURISM RULE -- BENEFITS, GIFTS AND SERVICES -- INSURANCE AGAINST DISABLING-INJURY OR ILLNESS	To specify that an institution's president or chancellor may designate an institutional staff member (or staff members) to assist a student-athlete with arrangements for securing a loan against future earnings potential for the purpose of purchasing insurance against a disabling injury or illness and to assist with arrangements for securing such insurance.	Preliminary support.
2009-24	AMATEURISM -- INVOLVEMENT WITH PROFESSIONAL TEAMS -- TRYOUTS -- MEN'S ICE HOCKEY	In men's ice hockey, to specify that a prospective or enrolled student-athlete may accept actual and necessary expenses from the National Hockey League (NHL) to attend the NHL scouting combine, regardless of the duration of the combine.	Preliminary support.
2009-26	RECRUITING -- DEFINITIONS AND APPLICATIONS -- DEAD PERIOD -- EXCEPTION -- UNOFFICIAL VISIT AFTER NATIONAL LETTER OF INTENT SIGNING OR OTHER WRITTEN COMMITMENT	To specify that a prospective student-athlete who has signed a National Letter of Intent (NLI) is permitted to make an unofficial visit during a dead period to the institution with which he or she has signed the NLI; further, to specify that for an institution not using the NLI in a particular sport, or for a prospective student-athlete who is not eligible to sign the NLI (e.g., four-year college transfer), a prospective student-athlete is permitted to make an unofficial visit during a dead period, provided he or she has signed the institution's written offer of admission or financial aid, or the institution has received a financial deposit from the prospective student-athlete in response to an offer of admission.	• Expressed concerns related to compromising the intent of dead periods in general. • Noted it may be confusing to coaches.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-27	RECRUITING -- DEFINITIONS AND APPLICATIONS -- EVALUATION DAYS -- SPRING EVALUATION PERIOD -- 168 DAYS -- FOOTBALL	In football, to specify that the spring evaluation period shall consist of 168 (216 for U.S. service academies) evaluation days (excluding Memorial Day and Sundays) from April 15 through May 31, selected at the discretion of the institution and designated in writing in the office of the director of athletics.	FCS – Preliminary support. FBS – Preliminary support.
2009-28	RECRUITING -- CONTACTS AND EVALUATIONS -- TELEPHONE CALLS -- OFFICIAL AND UNOFFICIAL VISITS -- OFFERS OF FINANCIAL AID -- TRYOUTS -- WOMEN'S SOCCER	In women's soccer, to revise or establish restrictions related to contacts, telephone calls official and unofficial visits, offers of financial aid and involvement in nonscholastic-based soccer programs, as specified.	• Noted the NCAA Division I Recruiting and Athletics Personnel Issues Cabinet's examination of the issues of early recruitment as part of the development of a comprehensive recruiting model, but expressed concern that a more expeditious review of "early recruiting" issues should occur. • Noted the proposal could serve as a "litmus test" for the cabinet's review and welcomed additional substantive comments from the cabinet, but agreed that it may be appropriate to take action on the proposal during this cycle at the April Legislative Council meeting.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-29	RECRUITING AND ELIGIBILITY -- FOUR-YEAR PROSPECTIVE STUDENT-ATHLETES -- PERMISSION TO CONTACT AND TRANSFER RELEASE -- RESPONSE TO REQUEST AND HEARING OPPORTUNITY	To specify that an institution shall grant or deny a request to permit another institution to contact a student-athlete about transferring or a request for release as a condition of the one-time transfer exception within seven calendar days of receipt of the request; further, to specify that if the request is denied, the institution shall conduct a hearing within 14 calendar days of receipt of the student-athlete's written request and that the student-athlete shall be provided the opportunity to appear in-person or via telephone and actively participate in the hearing.	Preliminary support. • Noted sponsor modifications that require institutional action to the request for permission to contact regarding a possible transfer or the one-time transfer release within seven business days and require that the hearing is conducted [if the permission or the release is denied] and a response is provided within 15 business days. • Clarified that the time frame starts with the student-athlete’s written request [not the institution acting on behalf of the student-athlete]. • Clarified that failure to meet specified deadlines for action results in an automatic approval of permission to contact and/or one-time transfer release.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-30-A	RECRUITING -- PERMISSIBLE RECRUITERS -- NONCOACHING STAFF MEMBERS WITH SPORT-SPECIFIC RESPONSIBILITIES -- BASKETBALL	In basketball, to specify that a noncoaching staff member with sport-specific responsibilities shall not attend an off-campus athletics event involving prospective student-athletes (e.g., high-school contest, sports camp) unless the staff member is an immediate family member or legal guardian of one of the participants in the activity; further, to establish conditions by which a staff member who is an immediate family member or legal guardian of a participant may attend such an event, as specified.	• Sponsored an alternative proposal (Proposal No. 2009-30-B) to apply to all sports. • Expressed preliminary support but prefer Proposal No. 2009-30-B. • Proposal No. 2009-30-A is rendered moot by the adoption of Proposal No. 2009-30-B.
2009-30-B	RECRUITING -- PERMISSIBLE RECRUITERS -- NONCOACHING STAFF MEMBERS WITH SPORT-SPECIFIC RESPONSIBILITIES	To specify that a noncoaching staff member with sport-specific responsibilities shall not attend an off-campus athletics event involving prospective student-athletes (e.g., high-school contest, sports camp) unless the staff member is an immediate family member or legal guardian of one of the participants in the activity; further, to establish conditions by which a staff member who is an immediate family member or legal guardian of a participant may attend such an event, as specified.	• Preliminary support, prefer Proposal No. 2009-30-B inasmuch as it is applicable to all sports. • Adoption of Proposal No. 2009-30-B renders Proposal No. 2009-30-A moot.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-31	RECRUITING -- CONTACTS AND EVALUATIONS -- HEAD COACH RESTRICTIONS -- ASSISTANT COACH PUBLICLY DESIGNATED AS NEXT HEAD COACH -- BOWL SUBDIVISION FOOTBALL	In bowl subdivision football, to specify that an institution's assistant coach who has been publicly designated by the institution to become the next head coach shall be subject to the recruiting restrictions applicable to the institution's head coach.	Preliminary support. • Noted that it may be necessary to further clarify circumstances that constitute “public designation” as the next head coach.
2009-32	RECRUITING -- TELEPHONE CALLS -- TIME PERIOD FOR TELEPHONE CALLS -- EXCEPTION -- UNLIMITED DURING CONTACT PERIOD	To specify that during a contact period, telephone calls may be made at the institution's discretion.	• Noted the potential intrusion into the lives of prospective student-athletes and acknowledged the difficulty prospects may have in setting appropriate ground rules for receiving telephone calls. • Noted institutional concerns related to the inordinate amount of resources being expended on monitoring phone calls. • Received information of a possible modification to permit unlimited telephone calls during the contact period only in sports with recruiting calendars.
2009-33	RECRUITING -- TELEPHONE CALLS -- EXCEPTION -- UNLIMITED AFTER RECEIPT OF ROOM OR TUITION DEPOSIT	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 number of telephone calls 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.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-34	RECRUITING -- TELEPHONE CALLS -- EXCEPTION -- DAY OF UNOFFICIAL VISIT	To permit a noncoaching staff member or a noncountable coach to initiate telephone calls to and receive telephone calls from a prospective student-athlete (or his or her parents or legal guardians) on the day or days of an unofficial visit; further; to specify that athletics department staff members may make unlimited telephone calls to a prospective student-athlete (or his or her parents or legal guardians) on the day or days of an unofficial visit without such telephone calls being subject to the regulations regarding the timing or number of telephone calls.	Preliminary opposition. • Expressed concerns that since there are no limits on the number of unofficial visits, numerous calls could be made by otherwise unauthorized staff members to prospects who otherwise had not reached the age to begin receiving telephone calls.
2009-35	RECRUITING -- CONTACTS AND EVALUATIONS -- VISIT TO PROSPECTIVE STUDENT-ATHLETE'S EDUCATIONAL INSTITUTION -- VISITS DURING EVALUATION PERIOD -- FOOTBALL	In football, to specify that not more than two coaches per institution may visit a prospective student-athlete's educational institution on any one calendar day during an evaluation period.	FCS – Preliminary opposition. FBS - Acknowledged concerns related to numerous coaching staff members visiting prospects' educational institutions during the evaluation period only for the purpose of "being seen", but took no position on whether the limit of two coaching staff members on any one calendar day reflected the appropriate numerical limit.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-37	RECRUITING -- EVALUATIONS -- SUMMER EVALUATION PERIOD -- NONINSTITUTIONAL NONORGANIZED EVENTS -- WOMEN'S BASKETBALL	In women's basketball, to prohibit evaluations at noninstitutional nonorganized events (e.g., pick-up games, open gyms) during the summer evaluation period.	Preliminary support.
2009-38	RECRUITING -- EVALUATIONS -- SCHOLASTIC AND NONSCHOLASTIC ACTIVITIES -- CHAMPIONSHIP SUBDIVISION FOOTBALL	In championship subdivision football, to specify that live athletics evaluations may be conducted at scholastic or nonscholastic athletics activities, provided there is no institutional involvement in arranging or directing such activities.	Preliminary support. • Noted the desire to permit coaches to observe all-star games, some of which may not be conducted by the applicable state scholastic governing body as permitted by the current legislation. • Noted the need to continue to monitor the influx of nonscholastic influences.
2009-39	RECRUITING -- LIMITATIONS ON NUMBER OF EVALUATIONS -- EVALUATION DAYS -- WOMEN'S SAND VOLLEYBALL	To specify that an institution that sponsors only women's sand volleyball or sponsors both women's volleyball and women's sand volleyball is limited to 100 evaluation days (measured August 1 through July 31); further, to specify that if an institution sponsors both women's volleyball and women's sand volleyball, a coach's involvement outside a volleyball contact or evaluation period with a local sports club (volleyball or sand volleyball) per Bylaw 13.11.2.3 shall count toward the limit.	Noted the limitations appear to be reasonable, but agreed it is advisable to send the proposal out for comment in January and defer final action until the April Legislative Council meeting pending the outcome of the override vote on Proposal No. 2008-59 at the 2010 NCAA Convention.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-40	RECRUITING -- PRINTED RECRUITING MATERIALS -- GENERAL CORRESPONDENCE -- INSTITUTIONAL LETTERHEAD	To establish additional provisions governing general correspondence that an institution may send to prospective student-athletes, their parents or legal guardians, their coaches or any other individual responsible for teaching or directing an activity in which a prospective student-athlete is involved, as specified.	Acknowledged the abuses that are occurring due to lack of uniform standards related to the content and design on institutional letterhead, but also expressed some concern as to whether this type of item was a priority item when compared to other more pressing recruiting issues that need resolution [e.g., early recruitment].
2009-41	RECRUITING -- RECRUITING MATERIALS -- ATHLETICS PUBLICATIONS -- NO PRINTED MEDIA GUIDES OR RECRUITING BROCHURES	To specify that an institution shall not produce (or arrange for or authorize a third party to produce) a media guide, recruiting brochure or any other athletics publication printed in a hard copy format other than a game program; further, to specify that an institution may post a media guide or recruiting brochure on its Web site, but may not print such items and provide them to a prospective student-athlete (or his or her parents or legal guardians).	• Noted significant interpretive issues as to the scope of the prohibition that an institution shall not produce any other athletics publication in a hard copy format, other than a media guide. • Adoption of Proposal No. 2009-41 renders Proposal No. 2009-42 moot.
2009-42	RECRUITING -- RECRUITING MATERIALS -- ATHLETICS PUBLICATIONS -- NO PRINTED PUBLICATIONS TO PROSPECTIVE STUDENT-ATHLETES	To specify that an institution shall not provide a printed media guide or any other printed athletics publication not listed in Bylaw 13.4.1.1 to a prospective student-athlete, his or her parents or legal guardians, the prospective student athlete's educational institution or any individual involved in the coaching of a prospective student-athlete.	• Clarified that a hard copy media guide [or any other athletics publication not listed as a permissible printed recruiting publication to provide to a prospect] should not be provided to a prospect if there is any institutional involvement [making it available to the general public free of charge is not an alternative]. • Rendered moot by the adoption of Proposal No. 2009-41.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-43	RECRUITING -- RECRUITING MATERIALS -- ELECTRONIC TRANSMISSIONS -- EXCEPTION -- AFTER RECEIPT OF FINANCIAL DEPOSIT	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 a financial deposit in response to the institution's offer of admission.	Preliminary support.
2009-44	RECRUITING -- RECRUITING MATERIALS -- VIDEO/AUDIO MATERIALS AND COMPUTER GENERATED RECRUITING PRESENTATIONS	To specify that an institution may produce video or audio material to show to, play for or provide to a prospective student-athlete, provided such material includes only general information related to an institution or its athletics programs and is not created for recruiting purposes; further, to specify that a computer generated recruiting presentation may include general informational video/audio material that relates to an institution or its athletics programs and is not created for recruiting purposes.	Noted potential difficulties in determining/applying the standard that the information is not created specifically for recruiting purposes.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-45	RECRUITING -- OFFICIAL VISIT -- FIRST OPPORTUNITY TO VISIT -- JUNE IMMEDIATELY PRIOR TO SENIOR YEAR -- FOOTBALL	In football, to specify that a prospective student-athlete may be provided an expense-paid visit during the month of June immediately preceding the prospective student-athlete's senior year in high school.	FCS- Preliminary opposition. FBS – Preliminary opposition. • Expressed concerns that the proposal was not consistent with the intent of the official visit, which is to allow the prospective student-athlete to experience normal campus life. • Expressed concern regarding disruption in the prospect's academic year depending on the prospect's academic calendar [noted a possible alternative proposal to require the prospect's academic year to be completed prior to the visit]. • Noted the proposal would further an earlier recruitment process. • Note potential issues/conflicts with institutional camps. .

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-47	RECRUITING -- LETTER OF INTENT PROGRAMS, FINANCIAL AID AGREEMENTS -- WRITTEN OFFER OF AID BEFORE SIGNING DATE -- FOOTBALL	In football, to specify that prior to August 1 of a prospective student-athlete's senior year in high school, an institution shall not provide a written offer of athletically related financial aid or indicate in writing to the prospective student-athlete that an athletically related grant-in-aid will be offered by the institution.	• Noted the Recruiting and Athletics Personnel Issues Cabinets examination of the issues of early recruitment as part of the development of a comprehensive recruiting model, but expressed concern that a more expeditious review of “early recruiting” issues should occur. • Noted the proposal could serve as a “litmus test” for the cabinet’s review and welcomed additional substantive comments from the cabinet, but agreed that it may be appropriate to take action on the proposal during this cycle at the April Legislative Council meeting.
2009-48	RECRUITING AND FINANCIAL AID -- LETTER-OF-INTENT PROGRAMS, FINANCIAL AID AGREEMENTS -- LETTER OF INTENT RESTRICTION -- LIMITATION ON NUMBER OF SIGNINGS -- BOWL SUBDIVISION FOOTBALL	In bowl subdivision football, to specify that there shall be an annual limit of 28 on the number of prospective student-athletes who may sign a National Letter of Intent or an institutional offer of financial aid from the initial signing date of the National Letter of Intent through May 31.	Preliminary support. • Noted that midyear two-year college transfers are not included in the numerical limitations.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-49	RECRUITING -- TRYOUTS -- COMPETITION AGAINST PROSPECTIVE STUDENT-ATHLETES -- FOOTBALL	In football, to prohibit an institution's varsity and subvarsity intercollegiate teams from competing against any team that includes prospective student-athletes.	FCS – Preliminary opposition. • Noted the potential recruiting abuses are more prevalent in FBS. • Noted the significant number of legitimate subvarsity programs in FCS and the potential scheduling difficulties that could result. • Agreed there is merit to further discussion as to whether financial guarantees should be prohibited. FBS – Preliminary support.
2009-50	RECRUITING AND ADMINISTRATIVE REGULATIONS -- LOCAL SPORTS CLUBS -- ADDITIONAL RESTRICTIONS -- QUIET PERIODS -- WOMEN'S SOCCER	In women's soccer, to specify that during a dead or quiet period, institutional coaching staff members may not coach a local sports team at an off-campus competition where prospective student-athletes are present; further, to establish quiet periods in women's soccer, as specified.	• Noted that the proposed women's calendar and Proposal No. 2009-58 related to the men's soccer recruiting calendar are significantly different. • Noted that feedback/input from the National Soccer Coaches Association of America indicated lack of support for the proposal.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-51-A	RECRUITING -- CAMPS AND CLINICS -- INSTITUTION'S SPORTS CAMPS AND CLINICS -- LOCATION -- BASKETBALL	In basketball, to specify that an institution's camp or clinic shall be conducted on the institution's campus or within a 100-mile radius of the institution's campus.	• Sponsored alternative proposal (Proposal No. 2009-51-B) to apply to all sports. • Expressed preliminary support but prefers Proposal No. 2009-51-B. • Proposal No. 2009-51-A rendered moot by the adoption of Proposal No. 2009-51-B.
2009-51-B	RECRUITING -- CAMPS AND CLINICS -- INSTITUTION'S SPORTS CAMPS AND CLINICS -- LOCATION – SPORTS OTHER THAN FOOTBALL	In sports other than football, to specify that an institution's camp or clinic shall be conducted on the institution's campus or within a 100-mile radius of the institution's campus.	• Preliminary support, prefer Proposal No. 2009-51-B inasmuch as it is applicable to all sports. • Adoption of Proposal No. 2009-51-B renders Proposal No. 2009-51-A moot.
2009-52	RECRUITING -- CAMPS AND CLINICS -- CONDUCTED DURING JUNE, JULY AND AUGUST -- EMPLOYMENT IN NONINSTITUTIONAL, PRIVATELY OWNED CAMPS AND CLINICS AT ANY LOCATION -- CHAMPIONSHIP SUBDIVISION FOOTBALL	In championship subdivision football, to specify that an institution's camp or clinic may be conducted only during the months of June, July and August or any calendar week (Sunday through Saturday) that includes days of those months (e.g., May 28-June 3); further, to specify that an institution's coach or noncoaching staff member with responsibilities specific to football may be employed in any capacity in a noninstitutional, privately owned camp or clinic at any location and only during the months of June, July and August or any calendar week (Sunday through Saturday) that includes days of those months (e.g., May 28-June 3).	• Expressed preliminary support for the concept of allowing coaches and sport-specific staff to work at noninstitutional camps/clinics at any location. • Adoption of Proposal No. 2009-52 renders Proposal Nos. 2009-53 and 2009-54 moot for FCS.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-53	RECRUITING -- CAMPS AND CLINICS -- CONDUCTED DURING JUNE, JULY AND AUGUST -- FOOTBALL	In football, to specify that an institution's camp or clinic may be conducted only during the months of June, July and August or any calendar week (Sunday through Saturday) that includes days of those months.	FCS • Noted that the rationale for the current rule is to provide coaches and sport-specific staff time away from football. However, the proposal does provide more opportunities for those who prefer to work camps. • Questioned the inclusion of August since preseason practice typically begins early in the month. FBS – Preliminary opposition.
2009-54-A	RECRUITING -- CAMPS AND CLINICS -- EMPLOYMENT IN NONINSTITUTIONAL, PRIVATELY OWNED CAMPS OR CLINICS AT ANY LOCATION – FOOTBALL	In football, to specify that an institution's coach or noncoaching staff member with responsibilities specific to football may be employed in a noninstitutional, privately owned camp or clinic at any location during the two periods of 15 consecutive days in the months of June and July as declared by the institution.	FCS- Preliminary Support FBS • Sponsored alternative proposal (Proposal No. 2009-54-B) to permit countable coaching staff members to be employed at one noninstitutional camp/clinic at any location. • Noted potential recruiting advantages and expressed a preference for Proposal No. 2009-54-B.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-54-B	RECRUITING -- CAMPS AND CLINICS -- EMPLOYMENT IN NONINSTITUTIONAL, PRIVATELY OWNED CAMPS OR CLINICS -- BOWL SUBDIVISION FOOTBALL	In bowl subdivision football, to specify that an institution's countable coach may be employed (either on a salaried or volunteer basis) in any capacity (e.g., counselor, guest lecturer, consultant) in one noninstitutional, privately owned camp or clinic per year that is located outside the state in which the institution is located or outside a 50-mile radius of the institution's campus, provided the camp or clinic is operated in accordance with restrictions applicable to institutional camps.	FBS - Preliminary support.
2009-55	RECRUITING -- CAMPS AND CLINICS -- EMPLOYMENT DURING QUIET PERIODS -- WOMEN'S VOLLEYBALL	In women's volleyball, to specify that it is not permissible for a coach or a noncoaching staff member with responsibilities specific to volleyball to be employed (either on a salaried or a volunteer basis) at an institutional camp or clinic or a noninstitutional, privately owned camp or clinic that is conducted off the institution's campus during a quiet period.	Preliminary support.
2009-56	RECRUITING -- USE OF RECRUITING FUNDS -- RECRUITING OR SCOUTING SERVICES -- CRITERIA FOR SUBSCRIPTION	To establish additional criteria that must be satisfied in order for an institution to subscribe to a recruiting or scouting service involving prospective student-athletes, as specified.	Preliminary support.
2009-57	ADMINISTRATIVE REGULATIONS -- RECRUITING CALENDARS -- FOOTBALL -- QUIET PERIODS IN JANUARY	In football, to revise the recruiting calendar to eliminate the quiet periods in January, as specified.	FCS - Preliminary support. FBS - Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-58	ADMINISTRATIVE REGULATIONS -- RECRUITING CALENDARS -- MEN'S SOCCER	In men's soccer, to establish a recruiting calendar, as specified.	Noted that feedback/input from the National Soccer Coaches Association of America indicated lack of support for the proposal.
2009-60	ELIGIBILITY -- ACADEMIC WAIVERS -- AUTHORITY OF INITIAL-ELIGIBILITY WAIVERS COMMITTEE AND PROGRESS-TOWARD-DEGREE WAIVERS COMMITTEE	To specify that the NCAA Division I Initial-Eligibility Waivers Committee shall be the final appellate body for initial eligibility waivers and that the NCAA Division I Progress-Toward-Degree Waivers Committee shall be the final appellate body for progress-toward-degree waivers.	Preliminary support.
2009-61	ELIGIBILITY -- FULL TIME ENROLLMENT -- REQUIREMENT FOR PRACTICE -- WAIVER -- U.S. OLYMPIC COMMITTEE/NATIONAL GOVERNING BODY -- FORMER STUDENT ATHLETE AT ANOTHER INSTITUTION -- INDIVIDUAL SPORTS AND WOMEN'S ROWING	In individual sports and women's rowing, in a case in which the U.S. Olympic Committee or national governing body in the sport has recommended the individual's participation, to permit a former student-athlete who has graduated and has no eligibility remaining to participate in organized practice sessions at an institution other than the one he or she previously attended.	Expressed concerns regarding potential competitive and recruiting advantages if numerous elite level former student-athletes are practicing with one institution’s team.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-62	ELIGIBILITY -- FULL-TIME ENROLLMENT -- REQUIREMENT FOR PRACTICE -- WAIVER -- U.S. OLYMPIC COMMITTEE/NATIONAL GOVERNING BODY -- FORMER STUDENT-ATHLETE -- DURATION OF WAIVER -- INDIVIDUAL SPORTS AND WOMEN'S ROWING	In individual sports and women's rowing, in a case in which the U.S. Olympic Committee or national governing body (NGB) in the sport has recommended the individual's participation, to specify that a former student-athlete's participation in organized practice sessions shall be limited to the number of years that allows the individual to practice with the institution's team in preparation for two consecutive Olympic Games following exhaustion of eligibility or completion of degree, whichever is earlier.	Noted the average age of Olympians has increased over the years, but expressed concerns regarding potential competitive and recruiting advantages that may result from the expansion of the current five-year period.
2009-63	ELIGIBILITY -- SEASONS OF COMPETITION -- CRITERIA FOR DETERMINING SEASON OF COMPETITION -- ALUMNI GAME, FUNDRAISING ACTIVITY OR CELEBRITY SPORTS ACTIVITY	To specify that a student-athlete may engage in outside competition in either one alumni game, one fundraising activity or one celebrity sports activity during a season without counting such competition as a season of competition, provided the event is exempted from the institution's maximum number of contests or dates of competition as permitted in the particular sport per NCAA Bylaw 17.	• Concerns expressed regarding institutions using of student-athletes strictly for fundraising purposes with no plans to include/allow participation during the season. • Concerns expressed that such events may become “yearly tryouts,” thus changing the nature of such events. • Noted potential hardship implications/issues.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-64	ELIGIBILITY -- FRESHMAN ACADEMIC REQUIREMENTS -- CORE-CURRICULUM REQUIREMENTS -- NONTRADITIONAL COURSES	To specify that for purposes of using a nontraditional course to satisfy NCAA core-course requirements, the course must be one in which the instructor and the student have ongoing access to one another and regular interaction with one another for purposes of teaching, evaluating and providing assistance to the student throughout the duration of the course; the student's work (e.g., exams, papers, assignments) is available for review and validation; and a defined time period for completion of the course is included.	Preliminary support.
2009-65	ELIGIBILITY -- TRANSFER REGULATIONS -- FOUR-YEAR COLLEGE TRANSFERS -- ONE-TIME TRANSFER EXCEPTION -- WOMEN'S VOLLEYBALL	To specify that the one-time transfer exception to the four-year transfer residence requirement is not applicable to student-athletes in women's volleyball.	Preliminary opposition • Noted that APR issues are not national in scope for this sport, particularly with the new APR transfer policy [the 2.6 exception]. • Noted that transfers should make thoughtful decisions and institutions can elect to deny the release if the circumstances do not warrant granting it.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-66	ELIGIBILITY -- TRANSFER REGULATIONS -- FOUR-YEAR COLLEGE TRANSFERS -- COMPETITION OR 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 or received athletically related financial aid during the same academic year from the previous four-year institution.	Noted the two situations (i.e. a student-athlete who received athletics aid, but did not compete and a student-athlete who did not receive athletics aid but did compete) not covered by the current rule, but also noted that the current rule has not yet become effective. Thus evaluation of the current rule's impact has not occurred.
2009-68	FINANCIAL AID -- MIDYEAR REPLACEMENT -- GRADUATION DURING PREVIOUS YEAR -- WOMEN'S VOLLEYBALL	In women's volleyball, to specify that the financial aid of a counter who graduates at midyear or who graduates during the previous academic year (including summer) may be provided to another student-athlete without making the second student-athlete a counter for the remainder of that academic year.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-69	FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT -- EQUIVALENCY COMPUTATIONS -- EXCEPTIONS -- ACADEMIC HONOR AWARDS -- TRANSFER STUDENTS	To specify that institutional academic honor awards that are part of an institution's normal arrangements for academic scholarships, based solely on the recipient's cumulative academic record from all collegiate institutions previously attended or based on the recipient's high school and cumulative academic record from all collegiate institutions previously attended and awarded independently of athletics interests and in amounts consistent with the pattern of all such awards made by the institution, may be exempted from a team's equivalency computation, provided the recipient achieved a cumulative transferable grade-point average of at least 3.300 (based on a maximum of 4.000).	Preliminary support.
2009-70	FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT -- WOMEN'S SAND VOLLEYBALL	In sand volleyball, to establish the maximum equivalency and counter limitations, as specified.	Agreed it is advisable to send the proposal out for comment in January and defer final action until the April Legislative Council meeting pending the outcome of the override vote on Proposal No. 2008-59 at the 2010 NCAA Convention.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-72	AWARDS, BENEFITS AND EXPENSES -- EXPENSES FOR STUDENT-ATHLETE'S FRIENDS AND RELATIVES -- REASONABLE REFRESHMENTS	To specify that an institution may provide the family (e.g., parents or legal guardians, relatives) of a student athlete with reasonable refreshments (e.g., soft drink, snacks) in conjunction with educational meetings or celebratory events (e.g., senior night) and on an occasional basis for other reasons.	Preliminary support.
2009-74	AWARDS, BENEFITS AND EXPENSES -- BENEFITS, GIFTS AND SERVICES -- OCCASIONAL MEALS -- LOCATION OF MEAL PROVIDED BY REPRESENTATIVE OF ATHLETICS INTERESTS	To permit a representative of the institution's athletics interests to provide an occasional meal to a student-athlete or the entire team in a sport on campus or in a facility that is regularly used for home competition.	Preliminary opposition. Concerns expressed that as these functions becomes more public, more significant compliance issues will arise, such as the potential for boosters to commingle with prospective student-athletes on recruiting weekends.
2009-75-A	PLAYING AND PRACTICE SEASONS AND RECRUITING -- MANDATORY MEDICAL EXAMINATION -- SICKLE CELL SOLUBILITY TEST	To specify that the required medical examination or evaluation that student-athletes who are beginning their initial season of eligibility and students who are trying out for a team must undergo prior to participation in voluntary summer conditioning or voluntary individual workouts pursuant to the safety exception, practice, competition or out-of-season conditioning activities shall include a sickle cell solubility test (SST).	• Sponsored alternative proposal (Proposal No. 2009-75-B) to permit the use of documentation of a previous sickle cell solubility test. • Expressed support that institutions take necessary action to ensure the health, safety and well-being of all participating student-athletes. Noted the importance of testing for the sickle cell trait, but agreed to continue discussion as to whether, the test should be mandated and whether documentation of previous test will suffice. • The adoption of Proposal No. 2009-75-A renders Proposal No. 2009-75-B moot.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-75-B	PLAYING AND PRACTICE SEASONS AND RECRUITING -- MANDATORY MEDICAL EXAMINATION -- SICKLE CELL SOLUBILITY TEST -- DOCUMENTED RESULTS OF PRIOR TEST	To specify that the required medical examination or evaluation that student-athletes who are beginning their initial season of eligibility and students who are trying out for a team must undergo prior to participation in voluntary summer conditioning or voluntary individual workouts pursuant to the safety exception, practice, competition or out-of-season conditioning activities shall include a sickle cell solubility test (SST), unless documented results of a prior test are provided to the institution.	• Expressed support that institutions take necessary action to ensure the health, safety and well-being of all participating student-athletes. Noted the importance of testing for the sickle cell trait, but agreed to continue discussion as to whether, the test should be mandated and whether documentation of previous test will suffice. • Proposal No. 2009-75-B rendered moot by the adoption of Proposal No. 2009-75-A.
2009-76	PLAYING AND PRACTICES SEASONS -- TIME LIMITS FOR ATHLETICALLY RELATED ACTIVITIES -- ADDITIONAL RESTRICTIONS -- COUNTABLE ATHLETICALLY RELATED ACTIVITIES BETWEEN MIDNIGHT AND 5 A.M.	To specify that countable athletically related activities shall not occur between midnight and 5 a.m., except for during participation in a conference championship or an NCAA championship, in any competition that begins prior to midnight and concludes after midnight, or a promotional practice activity (e.g., first practice of the season).	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-77	PLAYING AND PRACTICE SEASONS -- WOMEN'S BASKETBALL -- PRESEASON PRACTICE -- ON-COURT PRACTICE -- 30 PRACTICES WITHIN 40 DAYS PRIOR TO FIRST CONTEST	In women's basketball, to specify that an institution shall not commence on-court preseason basketball practice sessions prior to 5 p.m. on the date that is 40 days prior to the date of the institution's first regular-season contest; further, to specify that an institution shall not engage in more than 30 days of practice prior to its first regular-season contest.	Preliminary support.
2009-78	PLAYING AND PRACTICES SEASONS -- WOMEN'S BASKETBALL -- NUMBER OF CONTESTS -- MAXIMUM LIMITATIONS	In women's basketball, to specify that an institution shall limit its total regular-season playing schedule with outside competition to 26 contests and one qualifying regular-season multiple team event or 28 contests during a playing season in which the institution does not participate in a qualifying regular-season multiple team event.	Noted that the NCAA Division I Board of Directors at the time of this meeting had not yet taken action to place a similar proposal related to men’s basketball into the 2009-10 legislative cycle and agreed to defer taking a position pending the Board’s action.
2009-79-A	PLAYING AND PRACTICE SEASONS -- NONCHAMPIONSHIP SEGMENT -- TRAVEL RESTRICTIONS -- CROSS COUNTRY, FIELD HOCKEY, SOCCER, SOFTBALL AND VOLLEYBALL	In cross country (for institutions without indoor or outdoor track and field), field hockey, soccer, softball and volleyball, to specify that team travel to competition in the nonchampionship segment shall be restricted to ground transportation.	• Noted potential for additional missed class time. • Noted the importance of receiving feedback/ input from the NCAA Division I Student-Athlete Advisory Committee. • Engaged in some discussion as to whether it was prudent to consider eliminating outside competition during the nonchampionship segment and noted a potential conference-sponsored alternative proposal. • Adoption of Proposal No. 2009-79-A renders Proposal No. 2009-79-B moot.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-79-B	PLAYING AND PRACTICE SEASONS -- NONCHAMPIONSHIP SEGMENT -- TRAVEL RESTRICTIONS -- CROSS COUNTRY, FIELD HOCKEY, SOCCER, SOFTBALL AND VOLLEYBALL -- EXCEPTION -- 400-MILE RADIUS	In cross country (for institutions without indoor or outdoor track and field), field hockey, soccer, softball and volleyball, to specify that team travel to competition in the nonchampionship segment shall be restricted to ground transportation, unless there are no other Division I institutions located within 400 miles of the institution.	• Noted potential for additional missed class time. • Noted the importance of receiving feedback/ input from the Student-Athlete Advisory Committee. • Engaged in some discussion as to whether it was prudent to consider eliminating outside competition during the nonchampionship segment and noted a potential conference-sponsored alternative proposal. • Proposal No. 2009-79-B rendered moot by the adoption of Proposal No.2009-79-A.
2009-80	PLAYING AND PRACTICE SEASONS -- BOWL SUBDIVISION FOOTBALL -- FIRST CONTEST -- 14 WEEKS PRIOR TO DECEMBER 1	In bowl subdivision football, to specify that an institution shall not play its first contest (game or scrimmage) with outside competition prior to the Thursday preceding the 14th Saturday prior to December 1.	Noted the potential cost implications if an institution does not elect to use the opening week on the season as a bye week.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-81	PLAYING AND PRACTICE SEASONS -- FOOTBALL -- OUT-OF-SEASON ATHLETICALLY RELATED ACTIVITIES -- SUMMER CONDITIONING PERIOD	In football, to permit an institution to designate nine consecutive weeks between the conclusion of the academic year and the first permissible reporting date for preseason practice as its summer conditioning period.	FCS – Preliminary support. FBS • Noted the proposal changes only the method for determining the nine weeks and thus provides greater flexibility. • Noted the current legislation was designed to prepare football student-athletes for preseason practice and this proposal could result in multiple weeks of discretionary time prior to the beginning of preseason practice.
2009-82	PLAYING AND PRACTICE SEASONS -- LIMIT ON NUMBER OF STUDENT-ATHLETES ON AN OUTSIDE TEAM -- VACATION PERIOD EXCEPTION AND OUTSIDE TEAM TOURS -- WOMEN'S ROWING	In women's rowing, to specify that the number of student-athletes from any one institution who may compete outside of the institution's declared playing and practice season as a member of an outside team in any noncollegiate, amateur competition during any official academic year vacation period published in the institution's catalog and who may participate in international competition as a member of an outside team on a foreign tour shall not exceed two.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-83	PLAYING AND PRACTICE SEASONS AND DIVISION MEMBERSHIP -- REGULATIONS FOR PLAYING SEASON AND MINIMUM CONTEST REQUIREMENTS FOR SPORTS SPONSORSHIP -- WOMEN'S SAND VOLLEYBALL	In women's sand volleyball, to establish the playing and practice season and the minimum number of contests necessary for sports sponsorship purposes, as specified.	• Agreed it is advisable to send the proposal out for comment in January and defer final action until the April Legislative Council meeting pending the outcome of the override vote on Proposal No. 2008-59 at the 2010 NCAA Convention. • Noted issues related to maximum dates of competition if institutions allow less than five two-person teams to engage in a competition or event beyond the minimum sport sponsorship requirements.
2009-84	PLAYING AND PRACTICE SEASONS -- PRESEASON PRACTICE -- WOMEN'S SOCCER	In women's soccer, to increase the preseason practice units from 21 to 29; further, to establish criteria governing the activities permitted during the preseason practice period, as specified.	Preliminary opposition.
2009-85	PLAYING AND PRACTICE SEASONS -- SOFTBALL -- PRESEASON PRACTICE AND FIRST CONTEST DATE -- NONCHAMPIONSHIP SEGMENT	In softball, to specify that an institution that has not begun classes by September 15 may commence preseason practice sessions on or after that date and may play its first contest (game or scrimmage) against outside competition on or after that date.	Preliminary support.
2009-86	ATHLETICS CERTIFICATION -- MANDATORY SELF-STUDY AND EXTERNAL PEER REVIEW -- ACADEMIC INTEGRITY -- ACADEMIC STANDARDS -- RETENTION	To eliminate the requirement that the retention rate of student-athletes, as a whole, be compared to other student body groups.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2009-87	ADMINISTRATIVE REGULATIONS -- FOREIGN TOURS AND COMPETITION -- NO INSTITUTIONAL OR CONFERENCE FOREIGN TOURS	To specify that an institution or conference shall not sponsor or participate in a foreign tour.	• Noted the different philosophical positions related to the intended and actual purpose of foreign tours. • Discussed, but took no formal action to maintain foreign tours, but establish additional restrictions [e.g., less practice time, length of tour, number of competitions] to ensure the primary purpose is a cultural experience. • The adoption of Proposal No.2009-87 renders Proposal No. 2009-88 moot.
2009-88	ADMINISTRATIVE REGULATIONS -- FOREIGN TOURS AND COMPETITION -- ELIGIBILITY OF STUDENT-ATHLETES -- INCOMING-STUDENT PARTICIPATION -- BASKETBALL	In basketball, to permit an incoming student-athlete (freshman or transfer) to represent the institution on a foreign tour that occurs during the summer prior to his or her initial full-time enrollment at the certifying institution, provided: (a) he or she has earned at least three hours of acceptable degree credit during the summer term at the certifying institution; and (b) he or she is eligible to represent the institution in intercollegiate competition during the academic year immediately following the tour; further, to specify that a basketball student-athlete shall not participate in more than one institutional foreign tour.	• Noted the different philosophical positions related to the intended and actual purpose of foreign tours. • Noted logistical issues and potential interpretive issues [e.g., practice prior to completing the required three hours] depending on the variances in institutional summer terms. • Noted the potential impact on the recommendations developed by the Basketball Academic Enhancement Group. • Proposal No. 2009-88 rendered moot by the adoption of Proposal No. 2009-87.

REPORT OF THE OCTOBER 19-20, 2009, NCAA DIVISION I LEGISLATIVE COUNCIL MEETING

***ACTION ITEM*.**

- **Legislative Item - Request for Action by the NCAA Division I Board of Directors.**

  - **NCAA Proposal No. 2009-94 Administrative Regulations – Basketball Event Certification – Women's Basketball – Geographic Requirement [Attachment A]**

    (1) Recommendation. The NCAA Division I Legislative Council recommends that the Board of Directors sponsor Proposal No. 2009-94 into the current 2009-10 legislative cycle.

    (2) Effective Date. Immediate.

    (3) Rationale. Proposal No. 2009-94 was sponsored by the NCAA Division I Championships/Sports Management Cabinet and recommended to the Legislative Council for adoption as emergency legislation. The proposal was not supported as emergency legislation; however, the Legislative Council agreed that the merits of the proposal should be considered by the membership in the 2009-10 legislative cycle. If the proposal is sponsored into the 2009-10 legislative cycle, the membership will have an opportunity to review the proposal without delaying its potential implementation. In addition, sponsorship of the proposal will serve as notice to women's basketball event operators regarding potential additional restrictions for certification of future events.

    (4) Estimated Budget Impact. None.

    (5) Student-Athlete Impact. None.

***INFORMATIONAL ITEMS*.**

1. Legislative Actions.

a. Legislation Recommended as Emergency or Noncontroversial. A list of the Legislative Council's actions are in Attachment B, and voting results are in Attachment C.

[Note: Per NCAA Constitution 5.3.2.2.4.1, legislation adopted by the Legislative Council shall be subject to possible review by the 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.]

b. **Actions, Preliminary Positions, Points to Consider, Comments and Mootnicity Implications Related to 2009-10 Legislative Cycle Proposals.** The voting results related to the Legislative Council's sponsorship of alternative proposals are listed in Attachment C. Reference Attachment D for details regarding the actions, positions, points to consider, comments and mootnicity implications related to legislation scheduled for initial consideration in January 2010.

2. **Report of NCAA Division I Legislative Review/Interpretations Committee.** The Legislative Council approved the minutes of the Legislative Review/Interpretations Committee as distributed.

3. **Expression of Academic Impact in Legislative Proposals.** The Legislative Council received a report from the NCAA Division I Communications and Coordination Committee in which it requested that the Legislative Council consider a policy revision that would require an explanation of the academic impact be provided by the sponsor in its development of a legislative proposal. The council approved a revision to the title of the current "Impact on Student-Athlete's Time" field on legislative proposals. The title of the field will now be "Impact on Student-Athlete's Time (Academic and/or Athletics)." Information regarding the requirement will be included in the annual "Call for Proposals" notification that is provided to the membership. In addition, the NCAA staff will review each proposal and work with sponsoring entities to ensure that the academic impact information is included.

4. **Report of the NCAA Division I Legislative Council Subcommittee for Legislative Relief.** (Voting results may be found in Attachment B.) (For additional information, Supplement No. 12 of the Legislative Council meeting materials and the Subcommittee for Legislative Relief page are available on the NCAA Web site.)

   a. The Legislative Council approved a revision to the information standards for waiver requests in which the institution requests a waiver of the transfer year-in-residence requirement and asserts that a student-athlete's transfer was necessitated by a financial hardship. Effective immediately, the revised standards specify additional information and documentation necessary for the NCAA staff and the Subcommittee for Legislative Relief to process such requests.

   b. The Legislative Council approved information standards and guidelines for waiver requests involving the baseball varsity squad size limitation (NCAA Bylaw 17.2.8.3). Effective immediately, the guidelines specify that for waiver requests of Bylaw 17.2.8.3 involving assertions of an incapacitating injury or illness to a student-athlete who is a counter, relief may be provided if the student-athlete suffered a season-ending incapacitating injury or illness prior to any participation in countable athletically related activities (e.g., on-field practice, skill-related instruction) during

the nonchampionship or championship segments. No relief will be provided if a baseball student-athlete who is a counter suffers an incapacitating injury or illness and has participated in one or more days of countable athletically related activities during the nonchampionship or championship segment, absent other extenuating or extraordinary circumstances.

c. The Legislative Council approved a revision to the streamlined review thresholds for waiver requests involving student-athletes who are certified with conditions through the NCAA Amateurism Certification Process. Effective immediately, Bylaw 14.2.3.5 (21st birthday) has been removed from the streamlined review process. Waiver requests related to Bylaw 14.2.3.5 will be processed through the regular waiver procedures.

5. Future Meeting Dates.

a. January 13-14, 2010, Atlanta, Georgia, in conjunction with the NCAA Convention.

b. April 19-20; Indianapolis.

c. October 18-19; Indianapolis.

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

Division I Meetings
2010 Annual Convention Meeting Schedule

	Wednesday January 13		Thursday, January 14				Friday, January 15		Saturday, January 16
7:30		Conference Meetings 7:30 a.m.–7 p.m.						CCA Meeting (7-9 a.m.)	
8			Legislative Council (LGC) (8 – 11:30 a.m.)						Joint SAAC/BOD Breakfast *(8 – 9:30 a.m)*
8:30					Conference Meetings (8:30 a.m.–3:30 p.m.)	Leadership Council (8:30 – 3:30 p.m.)			
9									
9:30				Assn-wide Programming *(9:30 – 11a.m.)*			DI Issues Forum (9:30 – 11:30 a.m.)		Board of Directors Meeting *(9:30 a.m. – 5 p.m.)*
10									
10:30									
11				Assn-wide Programming *(11:15 – 12:15)*					
11:30			LGC/LDC/ SAAC Luncheon (11:30 a.m. – 1 p.m.)				BOD/LDC/LGC Luncheon (11:30 a.m. – 1 p.m.)		
Noon									BOD Luncheon *(12 - 1 p.m.)*
12:30									
1	Legislative Council (LGC) (1-8:30 p.m.)						DI /Issues Forum (1 – 3 p.m.)		Board of Directors Meeting continues
1:30				Assn-wide Programming *(1:45 – 3:15 p.m.)*					
2									
2:30									
3							Business Session (3-4 p.m.)		
3:30									
4			Opening Business Session (4 – 5:30 p.m.)				Communication and Coordination Committee Meeting/Reception (4 – 6 p.m.)		
4:30									
5									
5:30			Delegates Reception (5:30 – 7 p.m.)						Executive Committee Meeting *(5:30 – 8 p.m.)*
6							Honors Celebration (6-8 p.m.)		
6:30									
7									
7:30									
8									President's Reception (7:30 – 9 p.m.)
8:30									
9									
10									

Meetings either DI LGC/LDC Councils should attend.
Meetings DI Board of Directors would be interested in attending.
Additional Association-wide events.

08/25/09:vlm

SUPPLEMENT NO. 13A
DI Board of Directors 10/09

NCAA 2010 National Convention
Division I Schedule of Events

Tuesday, January 12, 2010

7:30 to 9 a.m.	NCAA Divisions I, II and III Student-Athlete Advisory Committee Joint Breakfast *Who Can Attend: All national SAAC members*
9 a.m. to noon	NCAA Division I Student-Athlete Advisory Committee *Who Can Attend: Division I national SAAC members*
Noon to 1 p.m.	NCAA Divisions I, II and III Student-Athlete Advisory Committee Joint Lunch *Who Can Attend: All national SAAC members*
1 to 2:45 p.m.	NCAA Scholarly Colloquium *Who Can Attend: All attendees*
1 to 6 p.m.	NCAA Division I Student-Athlete Advisory Committee *Who Can Attend: Division I national SAAC members*
2 to 11 p.m.	Big East Conference Legislative Meeting *Who Can Attend: Must be a member of this conference to attend*
3 to 4:30 p.m.	NCAA Scholarly Colloquium *Who Can Attend: All attendees*
6 to 7 p.m.	NCAA Divisions I, II and III Student-Athlete Advisory Committee Joint Dinner *Who Can Attend: All national SAAC members*
7 to 10 p.m.	NCAA Division I Student-Athlete Advisory Committee *Who Can Attend: Division I national SAAC members*

Wednesday, January 13, 2010

7:30 to 8:30 a.m.	NCAA Divisions I, II and III Student-Athlete Advisory Committee Joint Breakfast *Who Can Attend: All national SAAC members*
7:30 a.m. to 6 p.m.	Sun Belt Conference Athletic Directors *Who Can Attend: Must be a member of this group to attend*
8 to 9 a.m.	NCAA Educational Session and Breakfast - Leadership: Becoming the Best at What You Do (Diversity and Inclusion Track) *Who Can Attend: All attendees*

8:30 a.m. to noon	NCAA Division I Student-Athlete Advisory Committee *Who Can Attend: Division I national SAAC members*
9 to 10 a.m.	NCAA Educational Session - Presidential Forum: Expectations of a Director of Athletics (Diversity and Inclusion Track) *Who Can Attend: All attendees*
9 to 11 a.m.	NCAA Division I Football Championship Subdivision Governance Committee *Who Can Attend: Must be a member of this committee to attend*
10 to 11:30 a.m.	NCAA Scholarly Colloquium *Who Can Attend: All attendees*
10:15 to 11:45 a.m.	NCAA Educational Session - Achieving an Inclusive Environment and Going Beyond the ABC's of Diversity (Diversity and Inclusion Track) *Who Can Attend: All attendees*
10:15 to 11:45 a.m.	NCAA Educational Session - Around the World in 90 Minutes: Your Guide to International Initial Eligibility *Who Can Attend: All attendees*
10:15 to 11:45 a.m.	NCAA Educational Session - Don't be a Dope: Drugs and Drug Testing in College Sports *Who Can Attend: All attendees*
10:15 to 11:45 a.m.	NCAA Educational Session - Sports Wagering in College Athletics *Who Can Attend: All attendees*
11 a.m. to 5 p.m.	NCAA Convention Trade Show *Who Can Attend: All attendees*
11 a.m. to 9 p.m.	NCAA Division I Men's Basketball Committee *Who Can Attend: Must be a member of this committee to attend*
Noon to 1 p.m.	NCAA Divisions I, II and III Student-Athlete Advisory Committee Joint Lunch *Who Can Attend: All national SAAC members*
Noon to 1:30 p.m.	NCAA Keynote Luncheon *Who Can Attend: All attendees*
1 to 5:30 p.m.	Great West Conference Joint Council *Who Can Attend: By invitation only*
1 to 7 p.m.	NCAA Division I Legislative Council *Who Can Attend: Must be a member of this committee to attend*

1:45 to 2:45 p.m.	NCAA Educational Session - Brand Me 101: Elevating Your Game to Achieve Success on the Next Level (Diversity and Inclusion Track) *Who Can Attend: All attendees*
1:45 to 2:45 p.m.	NCAA Educational Session - Building Community Champions: Student-Athletes and Philanthropy *Who Can Attend: All attendees*
1:45 to 2:45 p.m.	NCAA Educational Session - Emerging and At-Risk Sports: How can the NCAA preserve and grow participation opportunities? *Who Can Attend: All attendees*
1:45 to 2:45 p.m.	NCAA Educational Session - Rome Wasn't Built in a Day: Building an Effective Strategic Marketing Plan *Who Can Attend: All attendees*
1:45 to 3:15 p.m.	NCAA Scholarly Colloquium *Who Can Attend: All attendees*
2 to 5 p.m.	NCAA Divisions I, II and III Student-Athlete Advisory Committee Joint Meeting *Who Can Attend: All national SAAC members*
3:15 to 3:45 p.m.	NCAA Scholarly Colloquium Conclusion and Discussions *Who Can Attend: All attendees*
3:15 to 4:15 p.m.	NCAA Educational Session - Fans: How to Find and Keep Them *Who Can Attend: All attendees*
3:15 to 4:15 p.m.	NCAA Educational Session - Greener Paths to Greener Fields: Progress in More Sustainable Athletics *Who Can Attend: All attendees*
3:15 to 4:15 p.m.	NCAA Educational Session - Understanding and Navigating the NCAA Governance Structure (Diversity and Inclusion Track) *Who Can Attend: All attendees*
3:45 to 4 p.m.	NCAA Scholarly Colloquium Closing Remarks *Who Can Attend: All attendees*
4:15 to 5:30 p.m.	NCAA Diversity and Inclusion Reception *Who Can Attend: All attendees*
5 to 6:30 p.m.	NCAA Convention Trade Show Reception *Who Can Attend: All attendees*

5 to 6:30 p.m.	NCAA Divisions I, II and III Student-Athlete Advisory Committee Joint Dinner *Who Can Attend: All national SAAC members*
5:30 to 7:30 p.m.	Jesuit Athletic Directors *Who Can Attend: By invitation only*
6:30 to 10 p.m.	NCAA Division I Student-Athlete Advisory Committee *Who Can Attend: Division I national SAAC members*

Thursday, January 14, 2010

7 to 11:30 a.m.	NCAA Division I Legislative Council *Who Can Attend: Must be a member of this committee to attend*
7:30 to 8:30 a.m.	NCAA Division I Student-Athlete Advisory Committee Breakfast *Who Can Attend: Division I national SAAC members*
7:30 a.m. to 3:30 p.m.	NCAA Convention Trade Show *Who Can Attend: All attendees*
8 a.m. to 12:15 p.m.	NCAA Educational Session - Demystifying and Demythifying: Selecting, Seeding and Bracketing Teams for the Division I Men's Basketball Championship *Who Can Attend: All attendees*
8 a.m. to 1 p.m.	Metro Atlantic Athletic Conference Committee on Athletic Administration *Who Can Attend: Must be a member of this committee to attend*
8 a.m. to 5 p.m.	NCAA Division I Women's Basketball Issues Committee *Who Can Attend: Must be a member of this committee to attend*
8:30 a.m. to noon	NCAA Division I Student-Athlete Advisory Committee *Who Can Attend: Division I national SAAC members*
8:30 a.m. to 3:30 p.m.	NCAA Division I Leadership Council *Who Can Attend: Must be a member of this committee to attend*
9 a.m. to 3 p.m.	Western Collegiate Hockey Association *Who Can Attend: Must be a member of this association to attend*
9:30 to 11 a.m.	NCAA Educational Session - Cross-Campus Engagement in Ensuring the Fair Treatment of LGBT Student-Athletes: Issues and Resources *Who Can Attend: All attendees*

9:30 to 11 a.m.	NCAA Educational Session - Emerging Online Trends: How new technologies are influencing media and intercollegiate athletics *Who Can Attend: All attendees*
9:30 to 11 a.m.	NCAA Educational Session - Management 101 *Who Can Attend: All attendees*
9:30 to 11 a.m.	NCAA Educational Session - Measuring Academic Success at Division III: What the Future Holds *Who Can Attend: All attendees*
11:15 a.m. to 12:15 p.m.	NCAA Educational Session - NCAA Division I Academic Progress Rate Improvement Plans: Instruments for Campus Change *Who Can Attend: All attendees*
11:15 a.m. to 12:15 p.m.	NCAA Educational Session - Sportsmanship and Fan Behavior *Who Can Attend: All attendees*
11:15 a.m. to 12:15 p.m.	NCAA Educational Session - The Student-Athlete Experience: Communicating Across Campus *Who Can Attend: All attendees*
11:30 a.m. to 1 p.m.	NCAA Division I Leadership Council/Legislative Council/Student-Athlete Advisory Committee Joint Luncheon *Who Can Attend: Must be a member of this committee to attend*
Noon to 1 p.m.	NCAA Divisions I, II and III Student-Athlete Advisory Committee Joint Lunch *Who Can Attend: All national SAAC members*
12:30 to 3 p.m.	Great West Presidents Council *Who Can Attend: By invitation only*
1:45 to 3:15 p.m.	NCAA Educational Session - 'Membership Growth ...' - A Panel Discussion on the Impact of Membership Growth from a Divisional as well as Association-Wide Perspective *Who Can Attend: All attendees*
1:45 to 3:15 p.m.	NCAA Educational Session - Communication Strategies for Effective Academic Support and Advising *Who Can Attend: All attendees*
1:45 to 3:15 p.m.	NCAA Educational Session - The Value of Division II Intercollegiate Athletics: How well are we telling our story? *Who Can Attend: All attendees*

1:45 to 3:15 p.m.	NCAA Educational Session - Weathering Today's Economic Storm *Who Can Attend: All attendees*
4 to 5:30 p.m.	NCAA Division I Student-Athlete Advisory Committee Meeting *Who Can Attend: Division I national SAAC members*
4 to 5:30 p.m.	NCAA Opening Business Session *Who Can Attend: All attendees*
5:30 to 7 p.m.	NCAA Delegates Reception *Who Can Attend: All attendees*
8 p.m. to 12 a.m.	Eastern College Athletic Conference Membership Reception *Who Can Attend: By invitation only*

Friday, January 15, 2010

7:30 to 9 a.m.	NCAA President's Breakfast *Who Can Attend: Presidents and Chancellors only*
9:30 to 11:30 a.m.	NCAA Division I Issues Forum *Who Can Attend: All attendees, media and additional registered guests*
11:30 a.m. to 1 p.m.	NCAA Division I Board of Directors/Leadership Council/Legislative Joint Council Luncheon *Who Can Attend: Must be a member of this committee to attend*
11:30 a.m. to 1 p.m.	NCAA Division I Student-Athlete Advisory Committee Meeting Working Lunch *Who Can Attend: Division I national SAAC members*
1 to 3 p.m.	NCAA Division I Issues Forum *Who Can Attend: All attendees, media and additional registered guests*
3 to 3:30 p.m.	NCAA Division I Business Session *Who Can Attend: All attendees, media and additional registered guests*
3:30 to 5:30 p.m.	NCAA Outreach Program for First-Time Chancellors and Presidents *Who Can Attend: By invitation only*
4 to 5:30 p.m.	NCAA Division I Student-Athlete Advisory Committee Meeting *Who Can Attend: Division I national SAAC members*
4 to 6 p.m.	NCAA Division I Communications and Coordination Committee

	Who Can Attend: Must be a member of this committee to attend
6 to 8 p.m.	NCAA Honors Celebration *Who Can Attend: All attendees*

Saturday, January 16, 2010

7 to 8:30 a.m.	NCAA Delegates Breakfast *Who Can Attend: All attendees*
8 to 9:30 a.m.	NCAA Division I Board of Directors and Student-Athlete Advisory Committee Breakfast *Who Can Attend: Must be a member of this committee to attend*
9:30 a.m. to 1 p.m.	NCAA Division I Student-Athlete Advisory Committee Meeting *Who Can Attend: Division I national SAAC members*
9:30 a.m. to 5 p.m.	NCAA Division I Board of Directors *Who Can Attend: Must be a member of this committee to attend*
11:30 a.m. to 1:30 p.m.	NCAA Delegates Luncheon *Who Can Attend: All attendees*
5:30 to 8 p.m.	NCAA Executive Committee *Who Can Attend: Must be a member of this committee to attend*

MINUTES OF THE

NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

EXECUTIVE COMMITTEE

NCAA National Office
Indianapolis, Indiana

August 6, 2009

Participants:

Michael Adams, University of Georgia, chair
Charles Bantz, Indiana Univ.-Purdue Univ. at Indianapolis
James Barker, Clemson University
Damon Evans, University of Georgia
Judy Genshaft, University of South Florida
James Harris, Widener University
Stephen Jordan, Metropolitan State College of Denver
Robert Kustra, Boise State University
Lynn Oberbilling, Smith College
Ann Millner, Weber State University
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
Edward Ray, Oregon State University
Tim Selgo, Grand Valley State University
Paul Trible, Christopher Newport University
Myles Brand, NCAA
Bernard Franklin, NCAA
Delise O'Meally, NCAA, recording secretary

Kevin Mullen, Siena College, was not able to participate.

Also in attendance were: Troy Arthur, director of diversity and inclusion; Scott Bearby, managing director of legal affairs; Gary Brown, director of NCAA News; Elsa Cole, vice president of legal affairs/general counsel; Joni Comstock, senior vice president of championships/senior woman administrator; Dennis Cryder, senior vice president of branding and communications; Jim Isch, senior vice president of administration/chief financial officer; Tom Jernstedt, executive vice president; Kevin Lennon, vice president of academic and membership affairs; Keith Martin, managing director of finance and operations; Rachel Newman, director of agents, gambling and amateurism; David Price, vice president of enforcement services; Wallace Renfro, vice president and senior advisor to the president; Greg Shaheen, senior vice president of basketball and busi-

ness strategies; Robert Vowels, vice president of educational affairs; Charlotte Westerhaus, vice president of diversity and inclusion; Bob Williams, managing director of public and media relations; David Berst, Daniel Dutcher and Mike Racy, NCAA governance vice presidents; and Beth DeBauche, Leah Kareti, and Terri Steeb, NCAA governance directors.

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

The meeting was called to order at 1:15 p.m. by the chair, President Adams. The Committee convened an executive session to discuss personnel matters. All members were present as noted above.

1. Welcome and announcements. Adams welcomed all attendees and specifically welcomed Ann Millner, president of Weber State University and the chair of the Division I Presidential Advisory Group, and Judy Genshaft, president of the University of South Florida.

2. Approval of April 30, 2009, meeting minutes.

   It was VOTED

   "To approve the Executive Committee minutes of the April 30, 2009, meeting as distributed."

3. NCAA President's report. President Brand provided updates, discussed a series of initiatives and sought Executive Committee input.

   a. Building renovation and addition. Brand called on Isch to discuss a proposed addition to the NCAA national office building. Isch and Bill Browne of Ratio Architects, Inc., noted that, due to a variety of factors, the national office has experience outages in recent years, resulting in temporary loss of service to the membership. In 2006, a fire in the Hall of Champions caused significant water and smoke damage to the facility requiring an investment of approximately $2.8 million to restore and renovate. During the fire and cleanup of the damage, the telecommunications room, housing all of the Association's servers and switches for the phone and computer systems, was interrupted because of heat and water.

Approximately seven months later, the chilled water supply line feeding the building was cut by a construction project that again interrupted the technology systems in the building. The location of telecommunications equipment in the basement of the building makes it impossible to provide sufficient exhaust and protection for the equipment. The proposed addition to the west end of the national office building would accommodate relocation of technology facilities and also provide the opportunity for an expanded kitchen facility to meet the increased catering needs associated with the new Association policy of holding more committee meetings in Indianapolis.

It was VOTED

"To approve the building addition on the west end of the national office building to accommodate technology and kitchen facilities."

b. Update on new membership initiatives. The Committee received a report from Chancellor Bantz on a recent meeting between National Association of Intercollegiate Athletics (NAIA) presidents and NCAA presidents to discuss opportunities for continued collaboration between both organizations and the feasibility of a greater structural relationship. The NCAA was represented by Chuck Ambrose (Pfeiffer University), Stephen Jordan (Metropolitan State College of Denver), James Bultman (Hope College), David Joyce (Ripon College) and Charles Bantz (Indiana University-Purdue University at Indianapolis). The NAIA presidents were Rick Artman (Viterbo University), Ted Brown (Martin Methodist University) and John Reynders (Morningside College). Bantz noted that the group agreed that the value proposition for further discussion and exploration includes the ability to enhance the overall experience for student-athletes across the nation regardless of affiliation; a broader more proactive strategy for managing membership growth and transition; increased efficiency and effectiveness through greater economies of scale, realized synergies; greater opportunities for in-region competition and the development of local rivalries. Additionally, Bantz noted several conditions that would govern further discussion, including an expectation that any structural relationship should be cost neutral to the NCAA.

The Committee discussed the overarching concerns related to membership growth and noted that each division, in recent years. has engaged in discussions on this point. While not endorsing a specific action plan for further discussions with the NAIA, the Committee recommended exploration from an Association-wide perspective of possible benefits or concerns related to membership growth within the NCAA.

c. Anheuser-Busch marketing strategy. Shaheen informed the Committee of a recent marketing strategy undertaken by Anheuser-Busch that brands beer cans with college

and university colors and logos. The Committee expressed significant concern about this practice and encouraged institutions that may be impacted within these markets to contact local distributors to request a halt to such activities.

4. NCAA Executive Committee Finance Committee report.

- Third quarter FY 2008-09 budget-to-actual. The Finance Committee reviewed third quarter budget-to-actual report and noted that the Association is on track to meet its budget projects.

  (1) Revenue. Actual revenues and expenditures will be within targets, and the planned $5 million in savings will be met by the end of the fiscal year. Television and marketing rights fees will exceed budget projections as a result of licensing and international revenues exceeding planned expenses. Championships revenue is behind the previous year's trend due to timing differences on when dollars are received. Although some championships may not make the planned budget due to the economic conditions, it is expected the overall planned revenues for championships will make its budget in the fourth quarter.

  (2) Expenses. Division I expenses are two percentage points behind the prior year, primarily due to the decrease in the Association's year-to-date travel expenses of approximately 16 percent. This is due to changes in travel policies and competitive charter and airfares during the fiscal year. Divisions II and III expenditures also are within budget parameters and should meet planned budget projections for the year. Association-wide expenditures of approximately $98.5 million are 74 percent of the budgeted expenditures. It was noted that President Brand made budget reductions of approximately $5 million in Association-wide expenditures to provide a fiscal year 2008-09 supplemental distribution to the membership. As a result of these reductions, in comparison to the budget, actual expenses are seven percentage points higher in the current year when compared to the previous year. Actual results are on target to achieve the midyear budget reductions. Based on third quarter financial results, the Association will be within budget parameters and likely will have a year-end surplus for fiscal year 2008-09.

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

6. NCAA championships policy related to sports wagering. The Committee reviewed a request from the agents, and gambling activities staff to consider revising the championships policy that regulates championships competition within states that conduct sports wagering. The staff noted that the policy precludes NCAA championship events in metropolitan areas with legal wagering that is based on the outcome of any event (i.e., high school, college or professional) in a sport in which the NCAA conducts a championship. The revised policy focuses on legal wagering that is based on single-game betting and clarifies that the provisions of the policy apply to all championship sessions, inclusive of predetermined and nonpredetermined sites. Furthermore, the revision clarifies the boundary within which the policy applies. The Committee noted that single-game betting is defined as wagering that involves either a money line or point-spread wager. The recommended policy does not apply to states that may offer parlay betting, lottery tickets or sports pools/pull tabs. The Committee agreed that the integrity of the game is most clearly at risk when single-game betting occurs, with heightened possibilities for point-shaving schemes and other methods of directly affecting the outcome of a game. It also noted that, given the Association's strong stance against sports wagering, the policy should apply to all championship sites within those states, regardless of whether an institution earned the right to host a championship event.

It was VOTED

"To approve the policy as noted, effective immediately.

"No predetermined or nonpredetermined session of an NCAA championship may be conducted in a state with legal wagering that is based on single-game betting on the outcome of any event (i.e., high school, college or professional) in a sport in which the NCAA conducts a championship."

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

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

(1) Men's basketball enforcement initiative. Received a report from the NCAA enforcement staff regarding steps being taken to improve the overall environment surrounding men's basketball. The staff noted that there appears to be a common perception that current bylaws cannot be enforced regarding hiring practices and remuneration schemes designed to limit access to recruits. Further, it noted that related interpretations and legislation were being reviewed with the goal of establishing a clear and unambiguous line regarding violations, thereby putting the membership on notice of a new direction by the enforcement staff.

(2) National Association of Basketball Coaches (NABC) communications plan. Received an update from the NABC regarding the Association's efforts to develop a communications plan to serve as a catalyst for dialogue among presidents and coaches on the campus, conference and national levels. The Board noted that the goal of the plan is to foster improved understanding of the academic and athletics issues impacting the men's basketball program.

(3) Men's Basketball Academic Enhancement Working Group. Received the final report of the Men's Basketball Academic Enhancement Working Group. The working group noted that men basketball players, as a group, come to Division I institutions less prepared academically and leave Division I institutions at a higher rate than any other sport. This is illustrated by the fact that approximately 40 percent of entering freshmen in the sport leave their initial institutions by the end of the second year. The working group also noted that prospective and enrolled student-athletes are inundated by unregulated third parties who push the young men to commit early to a professional career or, in some instances, encourage them to transfer. The working group offered a series of recommendations designed to achieve greater student-athlete retention by providing the type of skills enhancement student-athletes desire, along with opportunities for better academic preparation, learning skills and an enhanced coach-player relationships.

(4) Committee on Academic Performance (CAP). Received a report from the CAP July 2009 meeting and was informed that, while the committee discussed the possibility of identifying other institutional representatives (e.g., chancellor/president, director of athletics) to be included within the Academic Progress Rate portfolio, given the complexities and administrative burden associated with reporting such information, the committee elected to include such information at this time.

(5) Division I Leadership Council. Received an update from the chair of the Leadership Council and noted that the group is continuing its work on developing proposed new Division I membership standards, with a focus on helping potential members better prepare through the transition process so that, on becoming full Division I members, the impacted student-athletes have a full and positive experience. It was noted that the Council will continue its work during its October 2009 meeting with the hope of completing its charge over the next six to eight months, with recommendations to be reviewed by the Board during the spring of 2010.

(6) Division I Legislative Council. Received a report from the chair of the Legislative Council and learned that two legislative proposals (Proposal Nos. 2008-46 and 2006-59) have received sufficient requests to override the Legislative Council's adoption during its April meeting. The Board took no further action on either proposal, thereby allowing both proposals to be considered by the membership during the Division I business session at the 2010 NCAA-Convention.

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

(1) NCAA Bylaw 17 (playing seasons). In an effort to align the playing seasons with the division's positioning statement of "life in the balance," the Council agreed to sponsor legislation for the 2010 Convention to amend Bylaw 17 as follows:

(a) Fall sports. Amend the length of the preseason practice period by moving the first date of competition for fall sports to one week later and reduce the maximum number of contests in several fall sports.

(b) Winter break. Prohibit student-athletes from practice or competition during a winter dead period from December 20 through December 26.

(c) Spring sports. Reduce the maximum number of contests in baseball, golf and softball.

(d) Winter sports. Reduce the maximum number of contests in men's and women's basketball to 26 games.

(2) New Division II member institutions. The Division II Membership Committee admitted one institution into active Division II member status (Lake Erie College-Ohio) and accepted applications from seven institutions to enter into year one of the candidacy period in Division II, effective September 2009. Among these institutions is the first Canadian institution to make application into the NCAA – Simon Fraser University in Burnaby, British Columbia.

(3) Meeting with Hispanic Serving Institutions. The Presidents Council is planning for an October 28 meeting with presidents and chancellors of Division II institutions that are considered Hispanic-serving institutions.

Twenty-two Division II institutions have been identified to participate in this meeting.

(4) Keynote Speaker at 2010 NCAA Convention. Secured a keynote speaker for its Friday morning general session at the Convention, as well as the chancellors and presidents meeting and luncheon that same day. Brigadier General (Ret) Sheila Baxter, who is a former student-athlete from Virginia State University and highly decorated retired army officer, has agreed to address the Division II membership on her thoughts about "life in the balance."

(5) Division II Make-A-Wish fundraising. The Division II Student-Athlete Advisory Committee (SAAC) completed its sixth consecutive year of fundraising for Make-A-Wish. In 2003-04, the committee adopted the program as its special project, raising less than $20,000 in the first year. Since that time, the committee has consistently increased its efforts each year, and this year raised more than $333,000 for the organization. Total funds raised to date by the Division II SAAC for Make-A-Wish now exceed $1 million dollars.

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

(1) Presidents and Chancellors Advisory Group meeting. The Division III Chancellor/Presidents Advisory Group met Wednesday evening to discuss the Division III identity initiative and concepts to further presidential leadership at the campus, conference and institutional levels. The group also advised the Presidents Council on the Division III budget, strategic plan, Convention activities and proposed legislation.

(2) Division III Identity Initiative. The Chancellor/Presidents Advisory Group and the Presidents Council received a presentation from strategic communications consultant Jeff Jacobs regarding the division's effort to more clearly articulate its identity, both in philosophy and practice. Mr. Jacobs summarized the process used to examine the Division III student-athlete experience and shared results of both the qualitative and quantitative research conducted to facilitate this effort. The overall objective of the initiative is to articulate the positive values of the Division III experience, capturing the essence of the philosophy in a clear and concise manner.

(3) Presidential leadership. Approved language for a 2010 Convention proposal to specify in the Division III Philosophy Statement the expectation for presidential leadership and authority over intercollegiate athletics at the campus, conference and national governance levels. Further, the Council adopted a policy to establish a more focused "presidential grouping" of proposals at each year's Convention and endorsed the establishment of a standing Wednesday night planning session in conjunction with each quarterly meeting of the Presidents Council. Adding additional planning sessions for the Presidents Council prior to its regular meetings will allow the group to focus on strategic concerns and key divisional issues and direct attention to working reports and other business items during the regular Thursday meetings. The Council also discussed additional legislative and policy changes to further presidential leadership than may be considered at the 2011 Convention.

(4) 2009-10 Strategic Plan. Approved the 2009-10 Division III Strategic Plan, which was revised to include recommendations from the Division III White Papers on Membership Growth, as well as establish specific priorities for 2009-10.

(a) Define a distinct philosophy for Division III that emphasizes the educational value of the holistic student experience.

(b) Establish a greater strategic role for presidents in the Division III governance structure.

(c) Establish meaningful goals and objectives for diversity and gender equity issues.

(d) Further student-athlete well-being by determining the most appropriate drug education and testing program(s) for the division.

(e) Enable institutions to assess adherence to the Division III philosophical principle that student-athletes should have academic performance consistent with the general student body.

(5) Membership requirements penalty structure. Endorsed noncontroversial legislation to amend the membership requirements penalty structure where failure to meet sport sponsorship requirements would result in a five-year penalty and failure to complete the Institutional Self-Study Guide or to meet the attendance requirements for NCAA Convention or NCAA regional rules seminars would result in a three-year penalty. This replaces

the previous 10-year penalty structure for all membership requirements, which was deemed to be overly punitive.

(6) Playing Rules Oversight Panel. Voted to formally request that the Playing Rules Oversight Panel delay the implementation of two playing rules for Division III institutions, based on financial hardship. This appeal would include the scheduled implementation in 2010 of playing rules that would require a lighted backboard in basketball and a wireless microphone for the referee in football. The Council's primary concern relates to the costs associated with these rule changes in light of the current economic environment.

8. NCAA drug-testing update. The Committee received a response from the NCAA Committee on Competitive Safeguards and Medical Aspects of Sport (CSMAS) on the issue of the increased NCAA drug testing. CSMAS noted that drug testing is a part of a comprehensive approach to deter drug use, including strong written policy and effective education conducted at both the national and local level. It further noted that the frequency of testing events provides more of a deterrent effect than does increasing the number of tests at a testing event, and, therefore, deterrence may be increased through more year-round repeat testing and increased summer testing events. CSMAS will review a report from the NCAA staff and National Center for Drug Free Sport, Inc., on the best allocation of resources for deterrence of drug use.

9. NCAA Executive Committee Subcommittee on Gender and Diversity Issues. The Committee received the subcommittee's report, which included updates from the NCAA Committee on Women's Athletics and the NCAA Minority Opportunity and Interests Committee. The subcommittee engaged in discussion on the issue of diversity and gender representation within the governance structure, but specifically as related to Association-wide committees. The subcommittee noted that while NCAA Constitution 2.7 speaks to a commitment to diversity within the divisional governance structure, the language does not specifically address Association-wide committees. The subcommittee will seek additional data on diversity trends and explore solutions to ensure appropriate representational diversity on Association-wide committees. It also will engage in a review of its overall structure and composition to determine whether it is strategically positioned to effectively fulfill its charge.

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

11. Adjournment. Adams adjourned the meeting at 4:05 p.m.

# # # # #

NCAA Government Relations Report
(September 2009)

1. Congressional Overview.

As Congress and the White House moved through the summer months and into the fall, the focus has remained on a number of significant legislative matters. The most notable of these legislative priorities include reviving the nation's economy and reforming the country's health care system. While Congress has passed significant measures aimed at improving the economy, including the American Recovery and Reinvestment Act and the Fraud Enforcement and Recovery Act, there have been continued efforts to address problems in a variety of sectors that currently plague the economy.

The intense scrutiny regarding a number of health care proposals extended into Congress' annual August recess, which is usually a quiet period on the legislative calendar. Despite political pressure from within the beltway and beyond, Congressional leadership has been unable to obtain a consensus on how to reform the health care system and how to pay for those reforms without increasing the federal deficit or unduly burdening Americans during a time of economic distress. In a rare occurrence, President Obama convened a joint session of Congress on September 9, 2009, to seek their cooperation in overhauling the country's health care system in a timely manner.

Due to the extensive time being spent to address the nation's health care structure, some of the President's other legislative priorities will likely be delayed as a result. One such priority, which may not receive the type of attention this year as had been expected is an effort to reform the nation's energy policies. While the House of Representative passed a massive energy reform bill in June, the Senate is not expected to consider similar legislation until October at the earliest.

Despite the current impasse on health care reform and the ongoing efforts to address the economy, a number of other important developments have occurred in Washington over the last several months. On August 6, 2009, the US Senate voted to confirm Judge Sonia Sotomayor to the U.S. Supreme Court by a vote of 68-31. Justice Sotomayor, who became the nation's first Hispanic Supreme Court Justice, is no stranger to the sports world. In 1995, she issued an injunction that ended the Major League Baseball players' strike and also served on an appeals court panel, which reaffirmed the NFL's eligibility rule. Also, with the return of fall and the new school year, President Obama and his cabinet have spent a considerable amount of time providing treatment and prevention guidelines to address the expected increase in cases of the H1N1 virus in our nation's schools and communities. NCAA staff continues to work closely with the White House, Department of Homeland

Security, and Department of Health and Human Services to get updated information on H1N1 prevention.

With a number of legislative priorities yet to be considered, coupled with a need to take up several necessary bills including the 2010 spending measures, Congress is expected to have a very busy schedule for the remainder of the year. According to the current legislative calendar, Congress' target adjournment date is October 30, 2009, but it is expected that they will remain in session well beyond that date.

2. Federal Issues.

a. Bowl Championship Series.

On July 7, 2009, the Senate Judiciary Subcommittee on Antitrust, Competition Policy and Consumer Rights, conducted a hearing examining the current structure of the Bowl Championship Series (BCS). The hearing titled "The Bowl Championship Series: Is it Fair and in Compliance with Antitrust Law" was the second congressional hearing held on this matter during the 111th Congress. While Subcommittee Chair, Herb Kohl (D-WI) opened the hearing, it was Ranking Member, Orrin Hatch (R-UT) who directed the conversation and inquiry. Participants included Michael Young, president, University of Utah; Barry Brett, partner, Troutman Sanders; Harvey Perlman, chancellor, University of Nebraska-Lincoln; and William Monts, partner, Hogan and Hartson.

The hearing was not intended to focus on any specific piece of legislation, but was held to instead analyze whether the current structure of the BCS violates the nation's antitrust laws. President Brett and Michael Young both testified about their concerns under the BCS and their views of its restraint on access for some public and private colleges and universities, while William Monts and President Perlman discussed the underlying values of the current system.

Despite the interest by some members of Congress in the BCS, there has been no additional legislative activity on related measures. These include H. Res. 68, which encourages the establishment of a Division I Football Bowl Subdivision championship playoff system; H.R. 390, the College Football Playoff Act of 2009, which prohibits the promotion, marketing and advertising of any postseason NCAA Division I football game as a national championship unless the game is a part of a fair

playoff system; and H.R. 599, the Championship Fairness Act of 2009, which would prohibit institutions of higher education from receiving federal funds if their football team participated in the NCAA Division I Football Bowl Subdivision, unless the national championship game of such Subdivision is the culmination of a playoff system.

b. Title IX.

In response to a 2005 Clarification on how female student-athletes' interests and abilities can be measured, the NCAA's executive committee passed a resolution urging NCAA members to decline use of its limited model survey. The clarification was seen as fundamentally weakening Title IX and to date has not been changed. The NCAA Office of Government Relations Office will continue to work with interested parties to make certain that Title IX is enforced to its fullest extent to ensure that gender equity is achieved. We will also work to continue to grow relationships with the new appointees at the Department of Education, including the Offices of Civil Rights and Postsecondary Education.

c. Dietary Supplements.

Despite significant educational, legal, and policy efforts to address the illegal sale and use of dietary supplements containing designer steroids, sports governing bodies continue an uphill battle to control this problem. The current federal regulatory process is too arduous to keep pace with companies that stay a step ahead in putting illegal substances on the market in the form of dietary supplements. Furthermore, these companies are not required to prove that their products are safe and effective before they are placed in the marketplace.

Understanding these challenges, the United States Anti-Doping Agency (USADA) has launched a coalition titled the Supplement Safety Alliance. The group, which will be comprised of USADA, the professional sports leagues, medical experts and the NCAA, will attempt to seek change in the federal regulatory schemes which currently oversee this industry. It is our hope that through this collective effort, real change can occur that will properly provide the type of regulation and protection that America's athletes and consumers deserve.

3. <u>State Issues</u>.

a. Uniform Athlete Agent Act.

The Uniform Athlete Agent Act (UAAA) is a state model act which, establishes uniform athlete agent registration procedures and provides safeguards for student-athletes and membership institutions. In addition, the act imposes criminal, civil and/or administrative penalties against unscrupulous agents. To date, the UAAA has been passed in 38 states, the District of Columbia and the U.S. Virgin Islands.

While most state legislatures have adjourned for the year, the NCAA government relations staff will continue to work with the National Conference of Commissioners on Uniform State Laws to seek passage of the UAAA in remaining states.

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 OCTOBER 29, 2009, MEETING OF THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I BOARD OF DIRECTORS

Participants:

Michael F. Adams, University of Georgia, Southeastern Conference
Charles Bantz, Indiana University-Purdue University of Indianapolis, Summit League
James Barker, Clemson University, Atlantic Coast Conference (chair)
William Beauchamp, University of Portland, West Coast Conference
Robert Bruininks, University of Minnesota, Big Ten Conference
Jim Cofer, University of Louisiana at Monroe, Sun Belt Conference
Greg Dell'Omo, Robert Morris University, Northeast Conference
Judy Genshaft, University of South Florida, Big East Conference
Robert Kustra, Boise State University, Western Athletic Conference
William Meehan, Jacksonville State University, Ohio Valley Conference
Ann Millner, Weber State University, Big Sky Conference
Kevin Mullen, Siena College, Metro Atlantic Athletic Conference
Harvey Perlman, University of Nebraska, Lincoln, Big Twelve Conference
John Peters, Northern Illinois University, Mid-American Conference
Shirley Raines, University of Memphis, Conference USA
Edward Ray, Oregon State University, Pacific-10 Conference
David Schmidly, University of New Mexico, Mountain West Conference
S. David Berst, NCAA
Jacqueline Campbell, NCAA, recording secretary

[Note: William R. Harvey, Hampton University, was unable to attend.]

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, also were in attendance.

NCAA staff members in attendance: Elsa Cole, Joni Comstock, Julie Cromer, Bernard Franklin, Lynn Holzman, Brad Hostetter, LuAnn Humphrey, Jim Isch, Tom Jernstedt, Kevin Lennon, Steve Mallonee, Delise O'Meally, Tom Paskus, Todd Petr, David Price, Wallace Renfro, Julie Roe, Greg Shaheen, Mark Tschaggeny, Robert Vowels, Wendy Walters, and Charlotte Westerhaus.

1. **Opening Remarks.** Board of Directors chair, James Barker, welcomed the Board members to the meeting, extending a special welcome to new member Greg Dell'Omo, president of Robert Morris University, Northeast Conference. The Board paused for a moment of silence to recognize Myles Brand for his leadership and contributions to the Association.

2. Report of the August 6, 2009, Board of Directors meeting. **The Board approved the minutes of its August 6, 2009, meeting**. (Unanimous Voice Vote.) [Reference Supplement No. 1.]

3. Report of the Division I Presidential Advisory Group (PAG). Ann Millner, chair of the Division I Presidential Advisory Group, reported on the group's October 28, 2009, meeting. The Board was informed of PAG's position on various Board agenda items as they were reviewed. [Reference Supplement No. 2.]

4. Report from the Interim President. NCAA Interim President Jim Isch noted that he plans to continue to work on the agenda established by Dr. Myles Brand. He reported that the Association's focus will remain in the areas of academic reform, fiscal stability, student-athlete well-being and diversity and inclusion. The group was also updated regarding the search for a new NCAA president, noting that the Executive Committee was expected to select the members of the search committee during its meeting later that day.

5. Reports from the Committee on Infractions and Infractions Appeals Committee.

[Note: Shirley Raines of Memphis University departed the meeting room during the discussion of Agenda Item Nos. 5-a and 5-b.]

a. **Committee on Infractions.** Paul Dee, chair of the Committee on Infractions, reviewed several policy areas of concern to the committee with the Board. The Board agreed to appoint two Board members to meet by conference call with several NCAA staff members and the chairs of the Committee on Infractions Appeals Committee to discuss unsolved policy areas in order to report to the Board in January.

b. **Infractions Appeals Committee.** Chris Griffin, chair of the Infractions Appeals Committee, recommended the Board approve the following change to both the Enforcement and the Infractions Appeals Committee Policies and Procedures: [Reference Supplement No. 3.]

BOARD ACTION:

- **That individual appellants be required to disclose current or future employment at a member institution.** (Unanimous Voice Vote.)

c. **Committee Appointment**.

BOARD ACTION:

- **The Board appointed Roscoe C. Howard, of Troutman Sanders in Washington, D.C. to the Infractions Committee.** [Reference Supplement No. 4.] (Unanimous Voice Vote.)

6. Men's Basketball Enforcement Initiative. David Price, NCAA vice president for enforcement, LuAnn Humphrey, NCAA associate director of enforcement, four conference commissioners (Britton Banowsky, Conference USA; Daniel Beebe of the Big 12 Conference; James Delaney, Big Ten Conference; and Michael Slive, Southeastern Conference) and Jim Haney, the executive director of the NABC, presented the group with a proposed four-tier plan to address the men's basketball recruiting environment.

BOARD ACTION: The Board approved legislative Proposal No. 2009-95 and the four-tiered plan. [Reference Supplement No. 5.] (Unanimous Voice Vote.)

- Proposal No. 2009-95 – Recruiting – Sports Camps and Clinics – Definition of Recruited Prospective Student-Athlete – Men's Basketball.

[For full text of proposal, please see Attachment.]

7. Request by Big 12 Conference to Sponsor Legislation.

BOARD ACTION: **The Board agreed to sponsor a proposal in the 2009-10 legislative cycle that, in the Football Bowl Subdivision (FBS), would permit any institution with a final winning percentage of .500 or better to be selected for participation in a bowl game.** [Reference Supplement No. 6.] [Vote: For 7 – Adams, Barker, Bruininks, Genshaft, Perlman, Ray, Schmidly; Against 4 – Cofer, Kustra, Peters, Raines.]

- **Proposal No. 2009-103 – Postseason Bowl Licensing – Contest Status – Deserving Team.**

[For full text of proposal, please see Attachment.]

8. Division I Revenues and Expenses Update. Todd Petr, NCAA director of research, updated the Board on five-year trends in athletics finances. The Board reviewed data collected from the NCAA Financial Reporting System for the fiscal years 2003-04 through 2007-08, noting trends and highlighting similarities and differences between the subdivisions. [Reference Supplement No. 7.]

9. Report from the Committee on Academic Performance. Walter Harrison, chair of the Committee on Academic Performance shared information regarding the annual release of Graduation Success Rate (GSR) and Federal Graduation Rate information and the committee's continued work on the development of a head coach's APR portfolio with the Board. It was noted that he will report the committee's plans for a comprehensive study of the Academic Performance Program (APP) and its effectiveness in reaching the membership's goals for academic reform, the results of a study of academic support resources and practices for student-athletes, and plans for a long-term analysis of the initial-eligibility standards in more detail in January. [Reference Supplement No. 8.]

10. Division I Governance Structure Update.

a. Discussion of Legislative Proposals Related to the Basketball Academic Enhancement Group (BAEG) Report.

BOARD ACTIONS:

(1) The Board reviewed the final report and the accompanying legislative proposals recommended by the Men's Basketball Academic Enhancement Group.

(2) The Board noted continuing concern regarding the proposals related to the summer athletic development-retention model and providing travel expenses for parents accompanying prospects on official visits.

(3) The Board agreed not to enter these two proposals into the 2009-10 legislative cycle, but rather to discuss them at the Division I Forum during the January Convention in an effort to encourage all parties (coaches, faculty, commissioners and administrators) to seek consensus in initiatives that will enhance graduation rates. (Unanimous Voice Vote)

(4) The Board voted to sponsor the remaining proposals in this year's legislative cycle. [Reference Supplement No. 9.] (Unanimous Voice Vote)

- Proposal No. 2009-96 – Two-Year College Transfers—Physical Education Activity Courses – Men's Basketball.

- Proposal No. 2009-97 – Financial Aid – Counters – Aid After Departure of Head Coach – Noncounter – Men's Basketball.

- Proposal No. 2009-98 – Playing and Practice Seasons – Playing and Practice Season Model – Men's Basketball.

[For full text of proposals, please see Attachment.]

b. **Report of the Division I Governance Substructure.** As part of the efforts to keep the Board informed of the activities taking place in the Division I governance substructure, the Board received a summary of key discussion items from the cabinets' September meetings. [Reference Supplement No. 10.]

c. **Report of the October 6, 2009, Division I Leadership Council meeting**. Damon Evans, chair of the Division I Leadership Council, reported briefly on the October 6, 2009, Division I Leadership Council meeting. The Board was informed of the Leadership Council's continued discussion of Division I membership standards, and the expectation of presenting final recommendations to the Board in time for spring 2010 conference meetings and consideration of appropriate legislation in the 2010-11 cycle. It was also informed of the Leadership Council's ongoing discussion of possible approaches to enhancing diversity in the governance structure and the focus on faculty concerns regarding their perceived underrepresentation in the structure. [Reference Supplement No. 11.]

d. **Report of the October 19-20, 2009, Division I Legislative Council meeting**. Division I Legislative Council Chair Joe D'Antonio reported on the October 9, 2009, Legislative Council meeting. The Board was informed that the Legislative Council reviewed all proposals in the current cycle and approved 10 of the proposals as noncontroversial legislation. It was recommended that the Board sponsor Proposal No. 2009-94, which would make the geographic requirement in the basketball event certification process consistent for men and women, into the 2009-10 legislative cycle. [Reference Supplement No. 12.]

BOARD ACTION: The Board agreed to sponsor Proposal No. 2009-94 in the 2009-10 legislative cycle. (Unanimous Voice Vote)

[For full text of proposal, please see Attachment.]

e. **2010 NCAA Convention.** [Reference Supplement Nos. 13A and 13B.]

(1) Overview of the NCAA 2010 Convention Schedule and Updates. The Board briefly reviewed a schedule of key events at the 2010 NCAA Convention, set forth below:

Thursday, January 14

- Opening Business Session. (4 – 5:30 p.m.)
- Delegates Reception (5:30 – 7 p.m.)

Friday, January 15

- Division I Issues/Legislative Forum. (9:30 – 11:30 a.m.)
- BOD/Leadership Council/Legislative Council Luncheon. (11:30 a.m. – 1 p.m.)
- Division I Issues/Legislative Forum. (cont.) (1 – 3 p.m.)
- Division I Business Session – At the conclusion of the Legislative Forum. [Note: Vote on the override of Proposal Nos. 2008-46 and 2008-59 will occur during the Division I Business Session.]
- Honors Celebration. (6 – 8 p.m.)

Saturday, January 16

- Joint SAAC/BOD breakfast. (8 – 9:30 a.m.)
- Board of Directors meeting. (9:30 a.m. – 5 p.m.)
- Executive Committee meeting. (5:30 – 8 p.m.)
- President's Reception. (7:30 – 9 p.m.)

(2) Review of Override Process**.** The Board was reminded that the override votes regarding Proposal Nos. 2009-46 and 2008-59 will occur on January 15, 2010, during the Division I Business Session at the NCAA Convention. At least a five-eighths majority vote of individual active members present and voting shall be required to override the legislative action taken by the Legislative Council. The vote shall be based on the principle of one institution-one vote, and the vote shall be taken by roll call.

11. Report of the August 6, 2009, Meeting of the Executive Committee**.** The Board received a report of the August 6, 2009, meeting of the Executive Committee. No action was taken. [Reference Supplement No. 14.]

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

13. NCAA Governmental Relations Report**.** The Board received the September 2009 Governmental Relations Report. No action was taken. [Reference Supplement No. 16.]

14. Other Business.

BOARD ACTIONS:

a. Chair. **The Board elected Harvey Perlman, University of Nebraska, to succeed James Barker as chair of the Board of Directors once President Barker's term expires following the Board's April 2010 meeting.** (Unanimous Voice Vote.)

b. New Executive Committee Member. The Board noted that William Harvey, Hampton University, will be appointed as an FCS representative on the Executive Committee.

Board of Directors chair: James Barker, Clemson University
Staff Liaisons: S. David Berst, Division I governance
Jacqueline Campbell, Division I governance

PROPOSAL NO. 2009-94 – ADMINISTRATIVE REGULATIONS – BASKETBALL EVENT CERTIFICATION – WOMEN'S BASKETBALL – GEOGRAPHIC REQUIREMENT.

Status: Legislative Council Initial Consideration

Intent: In women's basketball, to specify that in order for a basketball event to be certified, participants on nonscholastic teams in a certified event must be legal residents of the state in which the team is located or a geographically adjoining state and not more than a total of three prospective student-athletes from adjoining states may participate on any one nonscholastic team.

Administrative: Amend 30.16, as follows:

30.16 BASKETBALL EVENT CERTIFICATION -- WOMEN'S BASKETBALL. In women's basketball, in order for a basketball event (e.g., camp, league, tournament or festival) to be certified, a certification application form must be submitted each year to the NCAA national office 45 days prior to the start of the event. An event review form for each event also must be submitted to the NCAA national office not later than three months following the event sessions. The following criteria must be met by each event in order to be certified:

[30.16-(a) through 30.16-(n) unchanged.

(o) The price of an event packet must be listed on the event certification application and the price must be made available to coaches prior to their arrival at the event; ~~*and*~~

(p) The event operator must provide proof of medical insurance coverage for event participants**;** **and**

(q) Prospective student-athletes on nonscholastic teams must be legal residents of the state in which the team is located or a geographically adjoining state and not more than a total of three prospective student-athletes from adjoining states may participate on any one nonscholastic team.

Source: NCAA Division I Board of Directors (Championships/Sports Management Cabinet)

Effective Date: Immediate

Proposal Category: Amendment

Topical Area: Administrative Regulations

Rationale: This proposal creates an "adjoining state" rule that discourages the "rental" of elite prospective student-athletes by teams across the country, while providing prospective student-

athletes who reside in geographically remote areas the opportunity to participate on a nonscholastic team. The same provision has been in place for men's basketball since 2003. In recent years there has been an increase in the number of elite prospective student-athletes who participate on nonscholastic teams located several states away from their legal residence. According to the NCAA basketball event certification staff, in the summer of 2008, 189 of 3,050 teams would not have met the adjoining state rule and in the summer of 2009, 240 of 3,098 teams would not have met the rule. In 2008, Ninety-nine teams had players from states that did not adjoin at all, and 90 teams had more than three players from adjoining states. This proposal should be adopted as emergency legislation so it can be effective for the summer of 2010 and provide ample time to notify the event operators and coaches of this change.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

History

Sep 15, 2009: Submit; Submitted for consideration.

Sep 16, 2009: Championships/Sports Management Cabinet, Sponsored

Sep 16, 2009: Championships/Sports Management Cabinet, Recommends Approval as Emergency Legislation

Oct 19, 2009: Leg Council Init Review, Not Supported as Emergency Legislation

Oct 19, 2009: Leg Council Init Review; Recommended that the Board of Directors sponsor the proposal into the 2009-10 legislative cycle.

Oct 29, 2009: Board of Directors, Sponsored

PROPOSAL NO. 2009-95 – RECRUITING -- SPORTS CAMPS AND CLINICS – DEFINITION OF RECRUITED PROSPECTIVE STUDENT-ATHLETE – MEN'S BASKETBALL.

Status: Adopted, 60-Day Override Period

Intent: In men's basketball, for purposes of applying the regulations related to camps and clinics, to define "recruited prospective student-athlete," as specified.

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.

13.12.1.1.1.1 Definition of Recruited Prospective Student-Athlete -- Men's Basketball. In men's basketball, for purposes of applying Bylaw 13.12, a recruited prospective student-athlete is a prospective student-athlete who has been recruited pursuant to the definition of recruiting in Bylaw 13.02.12 or the definition of a recruited prospective student-athlete pursuant to Bylaw 13.02.12.1. In addition, a men's basketball prospective student-athlete is considered a recruited prospective student-athlete if any of the following conditions has occurred:

(a) The prospective student-athlete's attendance at any institutional camp or clinic has been solicited by the institution (or a representative of the institution's athletics interests);

(b) The institution has provided any recruiting materials to the prospective student-athlete;

(c) An institutional coaching staff member has had any recruiting contact [including in-person or electronic contact (e.g., telephone calls, video conference, electronic correspondence)] with the prospective student-athlete (including contact initiated by the prospective student-athlete);

(d) The prospective student-athlete has received a verbal offer of athletically related financial aid from the institution; or

(e) The prospective student-athlete has verbally committed to attend the institution.

[Remainder of 13.12 unchanged.]

Source: NCAA Division I Board of Directors

Effective Date: Immediate

Proposal Category: Amendment

Topical Area: Recruiting

Rationale: There is a growing consensus that the current state of the men's basketball recruiting environment requires immediate action to curb escalating abuses and problems. Camp employment is a widely used recruiting method, in which remuneration is provided to individuals associated with a prospective student-athlete. Many believe that in order to successfully recruit many prospective student-athletes, their coaches must be paid for working the institution's summer basketball camp. This practice has been expanded to include other individuals associated with prospective student-athletes. Current legislation allows any individual associated with a prospective student-athlete to be employed to work at an institutional camp or clinic, provided the rate of pay is commensurate and the employment is not provided based on the individual's relationship with a prospective student-athlete. Short of receiving direct testimony that the employment was tied to the recruitment of a specific prospective student-athlete, the current legislation is very difficult to enforce. This proposal, in conjunction with the approval of an interpretation to specify that a violation of NCAA Bylaws 13.2.1 and 13.12.2.2-(b) would occur if an institution employs (i.e., volunteer or paid) at its camp or clinic an individual associated with a recruited prospective student-athlete will address the current circumvention of the legislation.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

History

Oct 28, 2009: Submit; Submitted for consideration.
Oct 29, 2009: Board of Directors, Sponsored
Oct 29, 2009: Board Consideration, Adopted as Emergency Legislation
Oct 30, 2009: Adopted, Override Period; Start of Override Period
Dec 28, 2009: Adopted, Override Period; End of Override Period

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PROPOSAL NO. 2009-96 – ELIGIBILITY – TWO-YEAR COLLEGE TRANSFERS – PHYSICAL EDUCATION ACTIVITY COURSES – MEN'S BASKETBALL,

Status: Legislative Council Initial Consideration

Intent: In men's basketball, to specify that not more than two credit hours of physical education activity courses may be used to fulfill the two-year college transfer requirements; further, to specify that a student-athlete enrolling in a physical education degree program or a degree program in education that requires physical education activity courses may use up to the minimum number of credits of physical education activity courses that are required for the specific degree program to fulfill the two-year college transfer requirements.

Bylaws: Amend 14.5.4, as follows:

14.5.4 Two-Year College Transfers. A student who transfers to a member institution from a two-year college or from a branch school that conducts an intercollegiate athletics program must complete an academic year of residence unless the student meets the following eligibility requirements applicable to the division of which the certifying institution is a member. Further, a transfer student-athlete admitted after the 12th class day may not use that semester or quarter for the purpose of establishing residency.

14.5.4.1 Qualifier. A transfer student from a two-year college who was a qualifier (per Bylaw 14.3.1.1) is eligible for competition in the first academic year in residence only if the student:

[14.5.4.1-(a) through 14.5.4.1-(c) unchanged.]

[14.5.4.1.1 unchanged.]

14.5.4.1.2 Use of Physical Education Activity Courses -- Men's Basketball. In men's basketball, not more than two credit hours of physical education activity courses may be used to fulfill the two-year college transfer requirements. However, a student-athlete enrolling in a physical education degree program or a degree program in education that requires physical education activity courses may use up to the minimum number of credits of physical education activity courses that are required for the specific degree program to fulfill the two-year college transfer requirements. Additional credit hours of physical education activity courses may not be used to fulfill elective requirements.

14.5.4.2 Not a Qualifier. A transfer student from a two-year college who was not a qualifier (per Bylaw 14.3.1.1) is eligible for institutional financial aid, practice and competition the first academic year in residence only if the student:

[14.5.2-(a) through 14.5.4.2-(d) unchanged.]

[14.5.4.2.1 through 14.5.4.2.3 unchanged.]

14.5.4.2.4 Use of Physical Education Activity Courses -- Men's Basketball. In men's basketball, not more than two credit hours of physical education activity courses may be used to fulfill the two-year college transfer requirements. However, a student-athlete enrolling in a physical education degree program or a degree program in education that requires physical education activity courses may use up to the minimum number of credits of physical education activity courses that are required for the specific degree program to fulfill the two-year college transfer requirements. Additional credit hours of physical education activity courses may not be used to fulfill elective requirements.

[Remainder of 14.5.4 unchanged.]

Source: NCAA Division I Board of Directors (Men's Basketball Academic Enhancement Group)

Effective Date: August 1, 2010; applicable to two-year college transfer student-athletes who initially enroll in a Division I institution on or after August 1, 2010.

Proposal Category: Amendment

Topical Area: Eligibility

Rationale: Current data indicates that two-year college basketball transfers graduate at a lower rate than basketball student-athletes who initially enroll at a four-year institution and remain at that institution until graduation. The data also shows that two-year college basketball transfers graduate at a lower rate than their counterparts who transfer from four-year institutions. However, the current data available for review does not include the characteristics of a successful Division I men's basketball two-year college transfer student-athlete. There are specific gaps in current NCAA data, which include a lack of information on the academic preparedness of two-year transfers as they leave high school, and a complete lack of data on the academic experiences of these students at the two-year colleges. Legislation has been adopted to fill these gaps. It is anticipated that such data will assist the NCAA in identifying patterns of course selection at two-year institutions that lead to better academic success once these students transfer to Division I institutions. While that data is being collected, this proposal will assist with addressing the concern regarding the poor academic performance of transfer student-athletes in men's basketball, particularly two-year college transfer student-athletes.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

History

Aug 06, 2009: Submit; Submitted for consideration.

Oct 29, 2009: Board of Directors, Sponsored

PROPOSAL NO. 2009-97 – FINANCIAL AID – COUNTERS – AID AFTER DEPARTURE OF HEAD COACH – NONCOUNTER – MEN'S BASKETBALL.

Status: Legislative Council Initial Consideration

Intent: In men's basketball, to specify that a student-athlete who receives athletically related institutional financial aid in academic years following the departure of a head coach from the institution is not a counter, provided: (a) The student-athlete participated in basketball and received athletically related institutional financial aid during the coach's tenure at the institution; and (b) The student-athlete does not participate in basketball during the later academic years at the institution; further, to specify that if the student-athlete later participates in basketball at the institution, the student-athlete shall become a counter for all years during which athletically related institutional aid was received.

Bylaws: Amend 15.5.1, as follows:

15.5.1 Counters. A student-athlete shall be a counter and included in the maximum awards limitations set forth in this bylaw under the following conditions:

[15.5.1-(a) through 15.5.1-(c) unchanged.]

15.5.1.7 Aid after Departure of Head Coach -- Men's Basketball. In men's basketball, a student-athlete who receives athletically related institutional financial aid in later academic years following the departure of a head coach from the institution is not a counter, provided:

(a) The student-athlete participated in basketball and received athletically related institutional financial aid during the coach's tenure at the institution; and

(b) The student-athlete does not participate in basketball during the later academic years at the institution.

15.5.1.7.1 Later Participation. If the student-athlete later participates in basketball at the institution, the student-athlete shall become a counter for all years during which athletically related institutional aid was received.

[15.5.1.7 through 15.5.1.9 renumbered as 15.5.1.8 through 15.5.1.10, unchanged.]

Source: NCAA Division I Board of Directors (Men's Basketball Academic Enhancement Group)

Effective Date: August 1, 2010

Proposal Category: Amendment

Topical Area: Financial Aid

Rationale: This legislative change would provide additional flexibility to men's basketball student-athletes when their head coaches leave, particularly for those student-athletes who are in their final two to three semesters of a degree program who may not wish to transfer. Those student-athletes who wish to remain at an institution to complete their degrees will be much more likely to be able to do so if they may continue to receive athletically related financial aid.

Estimated Budget Impact: Will vary.

Impact on Student-Athlete's Time: None.

History

Aug 06, 2009: Submit; Submitted for consideration.

Oct 29, 2009: Board of Directors, Sponsored

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PROPOSAL NO. 2009-98 – PLAYING AND PRACTICE SEASONS – PLAYING AND PRACTICE SEASON MODEL – MEN'S BASKETBALL.

Status: Legislative Council Initial Consideration

Intent: In men's basketball, to establish a playing and practice season model, as specified.

A. Constitution: Amend 3.2.4.14, as follows:

3.2.4.14 Missed Class-Time Policies. Active members are obligated to establish policies in all sports concerning student-athletes' missed class time due to participation in intercollegiate athletics and in athletics competition scheduled during final examination periods (see Bylaw 17.1.6.6.1). **In men's basketball, an institution's athletics participation schedule, which shall include the anticipated amount of missed class time due to athletics participation, shall be approved by the institution's faculty athletics representative or faculty oversight committee prior to the beginning of each regular academic term.**

B. Bylaws: Amend 16.8.1.2.1, as follows:

16.8.1.2.1 Departure/Return Expense Restrictions. An eligible student-athlete may receive actual and necessary travel expenses to represent the institution in athletics competition, provided the student-athlete departs for the competition no earlier than 48 hours prior to the start of the actual competition and remains no more than 36 hours **(24 hours in men's basketball)** following the conclusion of the actual competition even if the student-athlete does not return with the team.

C. Bylaws: Amend 17.3, as follows:

17.3 BASKETBALL. Regulations for computing the basketball playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.3.1 unchanged.]

17.3.2 Preseason Practice -- Men's Basketball.

17.3.2.1 Permissible Conditioning Activities. Team conditioning or physical fitness activities supervised by coaching staff members may be conducted on or off court but shall not begin prior to the beginning of the institution's academic year in accordance with Bylaw 17.1.6.2. Such activities shall be limited to eight hours per week.

17.3.2.2 On-Court Practice. An institution shall not commence on-court preseason basketball practice sessions prior to October 1 (see Figure 17-2).

Beginning October 1 (regardless of the day of the week), student-athletes are permitted to participate in on-court activities, as follows:

(a) October 1 through October 7: Countable athletically related activities shall be limited to eight hours. Not more than four hours may be spent in on-court practice activities. Remaining hours shall be limited to participation in required weight training, conditioning and skill-related instruction, with not more than two hours spend on skill-related workouts. All countable athletically related activities shall be prohibited during two calendar days during this period.

(b) October 8 through October 14: Countable athletically related activities shall be limited to 12 hours. Not more than eight hours shall be spent in on-court practice activities. Remaining hours shall be limited to participation in required weight training, conditioning and skill-related instruction, with not more than two hours spent on skill-related workouts. All countable athletically related activities shall be prohibited during two calendar days per week.

(c) Beginning October 15, on-court practice activities may be conducted in accordance with the restrictions on the regular playing season (see Bylaw 17.1.6.1).

17.3.2.2.1 Prohibited Activities. Prior to the start of on-court preseason basketball practice per Bylaw 17.3.2, members of the institution's coaching staff may not be involved with one or more team members at any location in any of the following activities except as permitted in Bylaws 17.1.6.2.2 and 17.3.7:

(a) Setting up offensive or defensive alignments;

(b) Chalk talks;

(c) Discussions of game strategy;

(d) Reviewing game films and videotapes;

(e) Activities using basketball equipment; or

(f) Observing student-athletes in any basketball activities even if such activities are not arranged by the institution's coach.

17.3.2.2.1.1 Exception -- Team Promotional Activities. Team promotional activities (e.g., autograph sessions, fan picture sessions, meeting with fans) per Bylaw 12.5.1 are permissible prior to the start of on-court preseason basketball practice per Bylaw 17.3.2,

provided these promotional arrangements do not involve any of the practice activities prohibited under the provisions of Bylaw 17.3.2.2.1.

17.3.2.2.1.2 Exception -- Officiating Clinic. Prior to the start of on-court preseason basketball practice per Bylaw 17.3.2, student-athletes may observe an officiating clinic related to playing rules that is conducted by video conference, provided no student-athlete misses class time to observe the clinic.

17.3.~~2~~**3** Preseason Practice -- On-Court Practice **-- Women's Basketball**. ~~A~~ **In women's basketball, a** member institution shall not commence on-court preseason basketball practice sessions prior to 5 p.m. on the Friday nearest October 15 (see Figure 17-2).

[17.3.2.1 through 17.3.2.2 renumbered as 17.3.3.1 through 17.3.3.2, unchanged.]

[17.3.3 through 17.3.4 renumbered as 17.3.4 through 17.3.5, unchanged.]

17.3.~~5~~**6** Number of Contests.

17.3.~~5~~**6**.1 Maximum Limitations -- Institutional.

17.3.6.1.1 Men's Basketball. An institution shall limit its total regular-season playing schedule with outside competition in men's basketball during the playing season to one of the following (except for those contests excluded under Bylaw 17.3.6.3);

(a) Twenty-six contests (games and scrimmages) and one qualifying regular-season multiple team event per Bylaw 17.3.6.1.3; or

(b) Twenty-eight contests (games or scrimmages) during a playing season in which the institution does not participate in a qualifying regular-season multiple team event.

17.3.6.1.2 Women's Basketball. An institution shall limit its total regular-season playing schedule with outside competition in women's basketball during the playing season to one of the following (except for those contests excluded under Bylaw 17.3.~~5~~**6**.3):

(a) Twenty-seven contests (games or scrimmages) and one qualifying regular-season multiple team event per Bylaw 17.3.~~5~~**6**.1.~~1~~**3**; or

(b) Twenty-nine (games or scrimmages) during a playing season in which the institution does not participate in a qualifying regular-season multiple team event.

[17.3.5.1.1 through 17.3.5.1.2 renumbered as 17.3.6.1.3 through 17.3.6.1.4,. unchanged.]

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[17.3.5.2 through 17.3.5.4 renumbered as 17.3.6.2 through 17.3.6.4, unchanged.]

[17.3.6 through 17.3.8 renumbered as 17.3.7 through 17.3.9 unchanged.]

Source: NCAA Division I Board of Directors (Men's Basketball Academic Enhancement Group)

Effective Date: August 1, 2010 (Contracts signed before 8/6/09 that cause noncompliance with the maximum contests limitation may be honored.)

Proposal Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: The proposed playing and practice season model provides for a slight reduction in the current maximum number of games, a staggered schedule for the start of team practice to acclimate student-athletes and other legislative modifications designed to minimize missed class time during the season. The implementation of this basic scheduling philosophy will reduce missed class time during the playing season and promote better academic performance for men's basketball student-athletes. Further, permitting institutions to use a staggered schedule for the start of team practice, beginning October 1, will allow freshman student-athletes more time to become acclimated to college life and for further development of the relationships between coaches and student-athletes to occur prior to the beginning of the traditional on-court team practice time.

Estimated Budget Impact: Potential reduction in institutional travel or game management budgets. Potential reduction in guarantees paid and received.

Impact on Student-Athlete's Time: Reduction of one contest. Intended reduction to missed class time.

History

Aug 06, 2009: Submit; Submitted for consideration.

Oct 29, 2009: Board of Directors, Sponsored

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PROPOSAL NO. 2009-103 – POSTSEASON BOWL LICENSING – CONTEST STATUS – DESERVING TEAM.

Status: Legislative Council Initial Consideration

Intent: In bowl subdivision football, to specify that for the purpose of postseason bowl eligibility, a "deserving team" shall be defined as one that has won a number of games against Football Bowl Subdivision opponents that is equal to or greater than the number of its overall losses.

Administrative: Amend 30.9.2, as follows:

30.9.2 Contest Status. A contest shall be licensed only if it serves the purpose of providing a national contest between deserving ~~*winning*~~ teams. A "deserving ~~*winning*~~ team" shall be defined as one that has won a ~~*minimum of six*~~ **number of** games against Football Bowl Subdivision opponents **that is equal to or greater than the number of its overall losses** ~~*and that has more wins than losses*~~. Tie games do not count in determining a team's won-lost record. Further, when forfeiture of a regular-season football victory is required by the Committee on Infractions, a conference or self-imposed by an institution as a result of a violation of NCAA rules, neither of the competing institutions may count that contest in satisfying the definition of a "deserving ~~*winning*~~ team."

~~*30.9.2.1 Exception -- 12-Game Season. An institution with a record of six wins and six losses may be selected for participation in a bowl game under the following circumstances.*~~

~~*(a) The institution or its conference has a primary contractual affiliation, which existed prior to the first contest of the applicable season, with the sponsoring bowl organization. In the case of a conference contractual affiliation, all conference teams with winning records must be placed in one of the contracted bowl games before any institution with a record of six wins and six losses may be placed in a contracted bowl game. There shall be no contingency agreements with other sponsoring bowl organizations intended to enable an institution with a record of six wins and six losses to become eligible for those contests; or*~~

~~*(b) All contractual affiliations per Bylaw 30.9.2.1-(a) have been fulfilled and all institutions with winning records have received bowl invitations (either through a contractual affiliation or as an at-large selection).*~~

30.9.2.~~*2*~~**1** Exception -- Football Championship Subdivision Opponent. Each year, a Football Bowl Subdivision institution may count one victory against a Football Championship Subdivision opponent toward **meeting** the ~~*six-win minimum*~~ **definition of a "deserving team,"** provided the opponent has averaged 90 percent of the permissible maximum number of grants-in-aid per year in football over a rolling two-year period.

30.9.2.~~2~~**1**.1 Waiver. The Football Issues Committee may approve a waiver of the 90 percent requirement to permit a Football Bowl Subdivision institution to count a victory against a Football Championship Subdivision opponent toward meeting the~~*six-victory requirement*~~ **definition of a "deserving team"** if a unique or catastrophic situation affects the Football Championship Subdivision institution's ability to average 90 percent of the permissible maximum number of football grants-in-aid per year over a rolling two-year period.

30.9.2.~~3~~**2** Waiver for Conference Champion. The Leadership Council, by a two-thirds majority of its member present and voting, or a committee designated by the Leadership Council, may approve a waiver of the ~~*six-victory requirement*~~ **definition of a "deserving team"** to enable a conference champion to participate in a bowl game if the conference champion is scheduled contractually to participate in the game.

Source: NCAA Division I Board of Directors (Big 12 Conference)

Effective Date: August 1, 2010

Proposal Category: Amendment

Topical Area: Administrative Regulations

Rationale: Since the inception in 2006 of the concept that a six win and six loss team could be selected for participation in a bowl game, it has become clear that the definition of a "deserving team" is more than just having a winning record. Each year, a myriad of factors could substantiate an argument as to why a team with a six win and six loss record is "more deserving" of a particular bowl bid than a team with a winning record. This proposal simplifies the conditions that make a team bowl eligible. Additionally, the proposal allows for greater flexibility by allowing the marketplace to play a more significant role in determining whether a team is offered the opportunity to participate in a bowl game.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

History

Oct 12, 2009: Submit; Submitted for consideration.

Oct 29, 2009: Board of Directors, Sponsored

PROPOSAL NO. 2009-94 – ADMINISTRATIVE REGULATIONS – BASKETBALL EVENT CERTIFICATION – WOMEN'S BASKETBALL – GEOGRAPHIC REQUIREMENT.

Status: Legislative Council Initial Consideration

Intent: In women's basketball, to specify that in order for a basketball event to be certified, participants on nonscholastic teams in a certified event must be legal residents of the state in which the team is located or a geographically adjoining state and not more than a total of three prospective student-athletes from adjoining states may participate on any one nonscholastic team.

Administrative: Amend 30.16, as follows:

30.16 BASKETBALL EVENT CERTIFICATION -- WOMEN'S BASKETBALL. In women's basketball, in order for a basketball event (e.g., camp, league, tournament or festival) to be certified, a certification application form must be submitted each year to the NCAA national office 45 days prior to the start of the event. An event review form for each event also must be submitted to the NCAA national office not later than three months following the event sessions. The following criteria must be met by each event in order to be certified:

[30.16-(a) through 30.16-(n) unchanged.

(o) The price of an event packet must be listed on the event certification application and the price must be made available to coaches prior to their arrival at the event; ~~*and*~~

(p) The event operator must provide proof of medical insurance coverage for event participants**;** **and**

(q) Prospective student-athletes on nonscholastic teams must be legal residents of the state in which the team is located or a geographically adjoining state and not more than a total of three prospective student-athletes from adjoining states may participate on any one nonscholastic team.

Source: NCAA Division I Board of Directors (Championships/Sports Management Cabinet)

Effective Date: Immediate

Proposal Category: Amendment

Topical Area: Administrative Regulations

Rationale: This proposal creates an "adjoining state" rule that discourages the "rental" of elite prospective student-athletes by teams across the country, while providing prospective student-

athletes who reside in geographically remote areas the opportunity to participate on a nonscholastic team. The same provision has been in place for men's basketball since 2003. In recent years there has been an increase in the number of elite prospective student-athletes who participate on nonscholastic teams located several states away from their legal residence. According to the NCAA basketball event certification staff, in the summer of 2008, 189 of 3,050 teams would not have met the adjoining state rule and in the summer of 2009, 240 of 3,098 teams would not have met the rule. In 2008, Ninety-nine teams had players from states that did not adjoin at all, and 90 teams had more than three players from adjoining states. This proposal should be adopted as emergency legislation so it can be effective for the summer of 2010 and provide ample time to notify the event operators and coaches of this change.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

History

Sep 15, 2009: Submit; Submitted for consideration.

Sep 16, 2009: Championships/Sports Management Cabinet, Sponsored

Sep 16, 2009: Championships/Sports Management Cabinet, Recommends Approval as Emergency Legislation

Oct 19, 2009: Leg Council Init Review, Not Supported as Emergency Legislation

Oct 19, 2009: Leg Council Init Review; Recommended that the Board of Directors sponsor the proposal into the 2009-10 legislative cycle.

Oct 29, 2009: Board of Directors, Sponsored

PROPOSAL NO. 2009-95 – RECRUITING -- SPORTS CAMPS AND CLINICS – DEFINITION OF RECRUITED PROSPECTIVE STUDENT-ATHLETE – MEN'S BASKETBALL.

Status: Adopted, 60-Day Override Period

Intent: In men's basketball, for purposes of applying the regulations related to camps and clinics, to define "recruited prospective student-athlete," as specified.

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.

13.12.1.1.1.1 Definition of Recruited Prospective Student-Athlete -- Men's Basketball. In men's basketball, for purposes of applying Bylaw 13.12, a recruited prospective student-athlete is a prospective student-athlete who has been recruited pursuant to the definition of recruiting in Bylaw 13.02.12 or the definition of a recruited prospective student-athlete pursuant to Bylaw 13.02.12.1. In addition, a men's basketball prospective student-athlete is considered a recruited prospective student-athlete if any of the following conditions has occurred:

(a) The prospective student-athlete's attendance at any institutional camp or clinic has been solicited by the institution (or a representative of the institution's athletics interests);

(b) The institution has provided any recruiting materials to the prospective student-athlete;

(c) An institutional coaching staff member has had any recruiting contact [including in-person or electronic contact (e.g., telephone calls, video conference, electronic correspondence)] with the prospective student-athlete (including contact initiated by the prospective student-athlete);

(d) The prospective student-athlete has received a verbal offer of athletically related financial aid from the institution; or

(e) The prospective student-athlete has verbally committed to attend the institution.

[Remainder of 13.12 unchanged.]

Source: NCAA Division I Board of Directors

Effective Date: Immediate

Proposal Category: Amendment

Topical Area: Recruiting

Rationale: There is a growing consensus that the current state of the men's basketball recruiting environment requires immediate action to curb escalating abuses and problems. Camp employment is a widely used recruiting method, in which remuneration is provided to individuals associated with a prospective student-athlete. Many believe that in order to successfully recruit many prospective student-athletes, their coaches must be paid for working the institution's summer basketball camp. This practice has been expanded to include other individuals associated with prospective student-athletes. Current legislation allows any individual associated with a prospective student-athlete to be employed to work at an institutional camp or clinic, provided the rate of pay is commensurate and the employment is not provided based on the individual's relationship with a prospective student-athlete. Short of receiving direct testimony that the employment was tied to the recruitment of a specific prospective student-athlete, the current legislation is very difficult to enforce. This proposal, in conjunction with the approval of an interpretation to specify that a violation of NCAA Bylaws 13.2.1 and 13.12.2.2-(b) would occur if an institution employs (i.e., volunteer or paid) at its camp or clinic an individual associated with a recruited prospective student-athlete will address the current circumvention of the legislation.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

History

Oct 28, 2009: Submit; Submitted for consideration.
Oct 29, 2009: Board of Directors, Sponsored
Oct 29, 2009: Board Consideration, Adopted as Emergency Legislation
Oct 30, 2009: Adopted, Override Period; Start of Override Period
Dec 28, 2009: Adopted, Override Period; End of Override Period

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PROPOSAL NO. 2009-96 – ELIGIBILITY – TWO-YEAR COLLEGE TRANSFERS – PHYSICAL EDUCATION ACTIVITY COURSES – MEN'S BASKETBALL,

Status: Legislative Council Initial Consideration

Intent: In men's basketball, to specify that not more than two credit hours of physical education activity courses may be used to fulfill the two-year college transfer requirements; further, to specify that a student-athlete enrolling in a physical education degree program or a degree program in education that requires physical education activity courses may use up to the minimum number of credits of physical education activity courses that are required for the specific degree program to fulfill the two-year college transfer requirements.

Bylaws: Amend 14.5.4, as follows:

14.5.4 Two-Year College Transfers. A student who transfers to a member institution from a two-year college or from a branch school that conducts an intercollegiate athletics program must complete an academic year of residence unless the student meets the following eligibility requirements applicable to the division of which the certifying institution is a member. Further, a transfer student-athlete admitted after the 12th class day may not use that semester or quarter for the purpose of establishing residency.

14.5.4.1 Qualifier. A transfer student from a two-year college who was a qualifier (per Bylaw 14.3.1.1) is eligible for competition in the first academic year in residence only if the student:

[14.5.4.1-(a) through 14.5.4.1-(c) unchanged.]

[14.5.4.1.1 unchanged.]

14.5.4.1.2 Use of Physical Education Activity Courses -- Men's Basketball. In men's basketball, not more than two credit hours of physical education activity courses may be used to fulfill the two-year college transfer requirements. However, a student-athlete enrolling in a physical education degree program or a degree program in education that requires physical education activity courses may use up to the minimum number of credits of physical education activity courses that are required for the specific degree program to fulfill the two-year college transfer requirements. Additional credit hours of physical education activity courses may not be used to fulfill elective requirements.

14.5.4.2 Not a Qualifier. A transfer student from a two-year college who was not a qualifier (per Bylaw 14.3.1.1) is eligible for institutional financial aid, practice and competition the first academic year in residence only if the student:

[14.5.2-(a) through 14.5.4.2-(d) unchanged.]

[14.5.4.2.1 through 14.5.4.2.3 unchanged.]

14.5.4.2.4 Use of Physical Education Activity Courses -- Men's Basketball. In men's basketball, not more than two credit hours of physical education activity courses may be used to fulfill the two-year college transfer requirements. However, a student-athlete enrolling in a physical education degree program or a degree program in education that requires physical education activity courses may use up to the minimum number of credits of physical education activity courses that are required for the specific degree program to fulfill the two-year college transfer requirements. Additional credit hours of physical education activity courses may not be used to fulfill elective requirements.

[Remainder of 14.5.4 unchanged.]

Source: NCAA Division I Board of Directors (Men's Basketball Academic Enhancement Group)

Effective Date: August 1, 2010; applicable to two-year college transfer student-athletes who initially enroll in a Division I institution on or after August 1, 2010.

Proposal Category: Amendment

Topical Area: Eligibility

Rationale: Current data indicates that two-year college basketball transfers graduate at a lower rate than basketball student-athletes who initially enroll at a four-year institution and remain at that institution until graduation. The data also shows that two-year college basketball transfers graduate at a lower rate than their counterparts who transfer from four-year institutions. However, the current data available for review does not include the characteristics of a successful Division I men's basketball two-year college transfer student-athlete. There are specific gaps in current NCAA data, which include a lack of information on the academic preparedness of two-year transfers as they leave high school, and a complete lack of data on the academic experiences of these students at the two-year colleges. Legislation has been adopted to fill these gaps. It is anticipated that such data will assist the NCAA in identifying patterns of course selection at two-year institutions that lead to better academic success once these students transfer to Division I institutions. While that data is being collected, this proposal will assist with addressing the concern regarding the poor academic performance of transfer student-athletes in men's basketball, particularly two-year college transfer student-athletes.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

History

Aug 06, 2009: Submit; Submitted for consideration.
Oct 29, 2009: Board of Directors, Sponsored

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PROPOSAL NO. 2009-97 – FINANCIAL AID – COUNTERS – AID AFTER DEPARTURE OF HEAD COACH – NONCOUNTER – MEN'S BASKETBALL.

Status: Legislative Council Initial Consideration

Intent: In men's basketball, to specify that a student-athlete who receives athletically related institutional financial aid in academic years following the departure of a head coach from the institution is not a counter, provided: (a) The student-athlete participated in basketball and received athletically related institutional financial aid during the coach's tenure at the institution; and (b) The student-athlete does not participate in basketball during the later academic years at the institution; further, to specify that if the student-athlete later participates in basketball at the institution, the student-athlete shall become a counter for all years during which athletically related institutional aid was received.

Bylaws: Amend 15.5.1, as follows:

15.5.1 Counters. A student-athlete shall be a counter and included in the maximum awards limitations set forth in this bylaw under the following conditions:

[15.5.1-(a) through 15.5.1-(c) unchanged.]

15.5.1.7 Aid after Departure of Head Coach -- Men's Basketball. In men's basketball, a student-athlete who receives athletically related institutional financial aid in later academic years following the departure of a head coach from the institution is not a counter, provided:

(a) The student-athlete participated in basketball and received athletically related institutional financial aid during the coach's tenure at the institution; and

(b) The student-athlete does not participate in basketball during the later academic years at the institution.

15.5.1.7.1 Later Participation. If the student-athlete later participates in basketball at the institution, the student-athlete shall become a counter for all years during which athletically related institutional aid was received.

[15.5.1.7 through 15.5.1.9 renumbered as 15.5.1.8 through 15.5.1.10, unchanged.]

Source: NCAA Division I Board of Directors (Men's Basketball Academic Enhancement Group)

Effective Date: August 1, 2010

Proposal Category: Amendment

Topical Area: Financial Aid

Rationale: This legislative change would provide additional flexibility to men's basketball student-athletes when their head coaches leave, particularly for those student-athletes who are in their final two to three semesters of a degree program who may not wish to transfer. Those student-athletes who wish to remain at an institution to complete their degrees will be much more likely to be able to do so if they may continue to receive athletically related financial aid.

Estimated Budget Impact: Will vary.

Impact on Student-Athlete's Time: None.

History

Aug 06, 2009: Submit; Submitted for consideration.

Oct 29, 2009: Board of Directors, Sponsored

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PROPOSAL NO. 2009-98 – PLAYING AND PRACTICE SEASONS – PLAYING AND PRACTICE SEASON MODEL – MEN'S BASKETBALL.

Status: Legislative Council Initial Consideration

Intent: In men's basketball, to establish a playing and practice season model, as specified.

A. Constitution: Amend 3.2.4.14, as follows:

3.2.4.14 Missed Class-Time Policies. Active members are obligated to establish policies in all sports concerning student-athletes' missed class time due to participation in intercollegiate athletics and in athletics competition scheduled during final examination periods (see Bylaw 17.1.6.6.1). **In men's basketball, an institution's athletics participation schedule, which shall include the anticipated amount of missed class time due to athletics participation, shall be approved by the institution's faculty athletics representative or faculty oversight committee prior to the beginning of each regular academic term.**

B. Bylaws: Amend 16.8.1.2.1, as follows:

16.8.1.2.1 Departure/Return Expense Restrictions. An eligible student-athlete may receive actual and necessary travel expenses to represent the institution in athletics competition, provided the student-athlete departs for the competition no earlier than 48 hours prior to the start of the actual competition and remains no more than 36 hours **(24 hours in men's basketball)** following the conclusion of the actual competition even if the student-athlete does not return with the team.

C. Bylaws: Amend 17.3, as follows:

17.3 BASKETBALL. Regulations for computing the basketball playing season are set forth in Bylaw 17.1. (See Figure 17-1 and Figure 17-2.)

[17.3.1 unchanged.]

17.3.2 Preseason Practice -- Men's Basketball.

17.3.2.1 Permissible Conditioning Activities. Team conditioning or physical fitness activities supervised by coaching staff members may be conducted on or off court but shall not begin prior to the beginning of the institution's academic year in accordance with Bylaw 17.1.6.2. Such activities shall be limited to eight hours per week.

17.3.2.2 On-Court Practice. An institution shall not commence on-court preseason basketball practice sessions prior to October 1 (see Figure 17-2).

Beginning October 1 (regardless of the day of the week), student-athletes are permitted to participate in on-court activities, as follows:

(a) October 1 through October 7: Countable athletically related activities shall be limited to eight hours. Not more than four hours may be spent in on-court practice activities. Remaining hours shall be limited to participation in required weight training, conditioning and skill-related instruction, with not more than two hours spend on skill-related workouts. All countable athletically related activities shall be prohibited during two calendar days during this period.

(b) October 8 through October 14: Countable athletically related activities shall be limited to 12 hours. Not more than eight hours shall be spent in on-court practice activities. Remaining hours shall be limited to participation in required weight training, conditioning and skill-related instruction, with not more than two hours spent on skill-related workouts. All countable athletically related activities shall be prohibited during two calendar days per week.

(c) Beginning October 15, on-court practice activities may be conducted in accordance with the restrictions on the regular playing season (see Bylaw 17.1.6.1).

17.3.2.2.1 Prohibited Activities. Prior to the start of on-court preseason basketball practice per Bylaw 17.3.2, members of the institution's coaching staff may not be involved with one or more team members at any location in any of the following activities except as permitted in Bylaws 17.1.6.2.2 and 17.3.7:

(a) Setting up offensive or defensive alignments;

(b) Chalk talks;

(c) Discussions of game strategy;

(d) Reviewing game films and videotapes;

(e) Activities using basketball equipment; or

(f) Observing student-athletes in any basketball activities even if such activities are not arranged by the institution's coach.

17.3.2.2.1.1 Exception -- Team Promotional Activities. Team promotional activities (e.g., autograph sessions, fan picture sessions, meeting with fans) per Bylaw 12.5.1 are permissible prior to the start of on-court preseason basketball practice per Bylaw 17.3.2,

provided these promotional arrangements do not involve any of the practice activities prohibited under the provisions of Bylaw 17.3.2.2.1.

17.3.2.2.1.2 Exception -- Officiating Clinic. Prior to the start of on-court preseason basketball practice per Bylaw 17.3.2, student-athletes may observe an officiating clinic related to playing rules that is conducted by video conference, provided no student-athlete misses class time to observe the clinic.

17.3.~~2~~**3** Preseason Practice -- On-Court Practice **-- Women's Basketball**. ~~A~~ **In women's basketball, a** member institution shall not commence on-court preseason basketball practice sessions prior to 5 p.m. on the Friday nearest October 15 (see Figure 17-2).

[17.3.2.1 through 17.3.2.2 renumbered as 17.3.3.1 through 17.3.3.2, unchanged.]

[17.3.3 through 17.3.4 renumbered as 17.3.4 through 17.3.5, unchanged.]

17.3.~~5~~**6** Number of Contests.

17.3.~~5~~**6**.1 Maximum Limitations -- Institutional.

17.3.6.1.1 Men's Basketball. An institution shall limit its total regular-season playing schedule with outside competition in men's basketball during the playing season to one of the following (except for those contests excluded under Bylaw 17.3.6.3);

(a) Twenty-six contests (games and scrimmages) and one qualifying regular-season multiple team event per Bylaw 17.3.6.1.3; or

(b) Twenty-eight contests (games or scrimmages) during a playing season in which the institution does not participate in a qualifying regular-season multiple team event.

17.3.6.1.2 Women's Basketball. An institution shall limit its total regular-season playing schedule with outside competition in women's basketball during the playing season to one of the following (except for those contests excluded under Bylaw 17.3.~~5~~**6**.3):

(a) Twenty-seven contests (games or scrimmages) and one qualifying regular-season multiple team event per Bylaw 17.3.~~5~~**6**.1.~~1~~**3**; or

(b) Twenty-nine (games or scrimmages) during a playing season in which the institution does not participate in a qualifying regular-season multiple team event.

[17.3.5.1.1 through 17.3.5.1.2 renumbered as 17.3.6.1.3 through 17.3.6.1.4,. unchanged.]

[17.3.5.2 through 17.3.5.4 renumbered as 17.3.6.2 through 17.3.6.4, unchanged.]

[17.3.6 through 17.3.8 renumbered as 17.3.7 through 17.3.9 unchanged.]

Source: NCAA Division I Board of Directors (Men's Basketball Academic Enhancement Group)

Effective Date: August 1, 2010 (Contracts signed before 8/6/09 that cause noncompliance with the maximum contests limitation may be honored.)

Proposal Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: The proposed playing and practice season model provides for a slight reduction in the current maximum number of games, a staggered schedule for the start of team practice to acclimate student-athletes and other legislative modifications designed to minimize missed class time during the season. The implementation of this basic scheduling philosophy will reduce missed class time during the playing season and promote better academic performance for men's basketball student-athletes. Further, permitting institutions to use a staggered schedule for the start of team practice, beginning October 1, will allow freshman student-athletes more time to become acclimated to college life and for further development of the relationships between coaches and student-athletes to occur prior to the beginning of the traditional on-court team practice time.

Estimated Budget Impact: Potential reduction in institutional travel or game management budgets. Potential reduction in guarantees paid and received.

Impact on Student-Athlete's Time: Reduction of one contest. Intended reduction to missed class time.

History

Aug 06, 2009: Submit; Submitted for consideration.
Oct 29, 2009: Board of Directors, Sponsored

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PROPOSAL NO. 2009-103 – POSTSEASON BOWL LICENSING – CONTEST STATUS – DESERVING TEAM.

Status: Legislative Council Initial Consideration

Intent: In bowl subdivision football, to specify that for the purpose of postseason bowl eligibility, a "deserving team" shall be defined as one that has won a number of games against Football Bowl Subdivision opponents that is equal to or greater than the number of its overall losses.

Administrative: Amend 30.9.2, as follows:

30.9.2 Contest Status. A contest shall be licensed only if it serves the purpose of providing a national contest between deserving ~~*winning*~~ teams. A "deserving ~~*winning*~~ team" shall be defined as one that has won a ~~*minimum of six*~~ **number of** games against Football Bowl Subdivision opponents **that is equal to or greater than the number of its overall losses** ~~*and that has more wins than losses*~~. Tie games do not count in determining a team's won-lost record. Further, when forfeiture of a regular-season football victory is required by the Committee on Infractions, a conference or self-imposed by an institution as a result of a violation of NCAA rules, neither of the competing institutions may count that contest in satisfying the definition of a "deserving ~~*winning*~~ team."

~~*30.9.2.1 Exception -- 12-Game Season. An institution with a record of six wins and six losses may be selected for participation in a bowl game under the following circumstances.*~~

~~*(a) The institution or its conference has a primary contractual affiliation, which existed prior to the first contest of the applicable season, with the sponsoring bowl organization. In the case of a conference contractual affiliation, all conference teams with winning records must be placed in one of the contracted bowl games before any institution with a record of six wins and six losses may be placed in a contracted bowl game. There shall be no contingency agreements with other sponsoring bowl organizations intended to enable an institution with a record of six wins and six losses to become eligible for those contests; or*~~

~~*(b) All contractual affiliations per Bylaw 30.9.2.1-(a) have been fulfilled and all institutions with winning records have received bowl invitations (either through a contractual affiliation or as an at-large selection).*~~

30.9.2.~~*2*~~**1** Exception -- Football Championship Subdivision Opponent. Each year, a Football Bowl Subdivision institution may count one victory against a Football Championship Subdivision opponent toward **meeting** the ~~*six-win minimum*~~ **definition of a "deserving team,"** provided the opponent has averaged 90 percent of the permissible maximum number of grants-in-aid per year in football over a rolling two-year period.

30.9.2.~~2~~**1**.1 Waiver. The Football Issues Committee may approve a waiver of the 90 percent requirement to permit a Football Bowl Subdivision institution to count a victory against a Football Championship Subdivision opponent toward meeting the~~*six-victory requirement*~~ **definition of a "deserving team"** if a unique or catastrophic situation affects the Football Championship Subdivision institution's ability to average 90 percent of the permissible maximum number of football grants-in-aid per year over a rolling two-year period.

30.9.2.~~3~~**2** Waiver for Conference Champion. The Leadership Council, by a two-thirds majority of its member present and voting, or a committee designated by the Leadership Council, may approve a waiver of the ~~*six-victory requirement*~~ **definition of a "deserving team"** to enable a conference champion to participate in a bowl game if the conference champion is scheduled contractually to participate in the game.

Source: NCAA Division I Board of Directors (Big 12 Conference)

Effective Date: August 1, 2010

Proposal Category: Amendment

Topical Area: Administrative Regulations

Rationale: Since the inception in 2006 of the concept that a six win and six loss team could be selected for participation in a bowl game, it has become clear that the definition of a "deserving team" is more than just having a winning record. Each year, a myriad of factors could substantiate an argument as to why a team with a six win and six loss record is "more deserving" of a particular bowl bid than a team with a winning record. This proposal simplifies the conditions that make a team bowl eligible. Additionally, the proposal allows for greater flexibility by allowing the marketplace to play a more significant role in determining whether a team is offered the opportunity to participate in a bowl game.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

History

Oct 12, 2009: Submit; Submitted for consideration.

Oct 29, 2009: Board of Directors, Sponsored