A G E N D A

National Collegiate Athletic Association
Division I Board of Directors

The Westin Indianapolis — August 12, 2010
Indianapolis, Indiana — 8 a.m. – 3 p.m.

1. Opening remarks.

2. Minutes of the April 29, 2010, Board of Directors meeting. [Supplement No. 1] [**Anticipated Action Item.]**

3. Report of the Division I Presidential Advisory Group August 9, 2010, teleconference. [Supplement No. 2 – An addendum will be distributed at the meeting.] [No action anticipated.]

4. Report from interim NCAA President. [No action anticipated.]

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

6. Update on work of the Revenue Distribution Task Force. [No action anticipated.]

7. Status report of the Values-Based Decision Making Task Force. [Possible action item.]

8. Report from the Knight Commission. [Supplement No. 4] [Possible action item.]

9. Legislative Issues.

   a. Recommendations to sponsor legislation in the 2010-11 legislative cycle.

      (1) Football Academic Working Group. [Supplement No. 5] [**Anticipated Action Item.]**

      (2) Men's Basketball Academic Enhancement Group. [Supplement No. 6] **[Anticipated Action Item.]**

(3) Division I membership requirements. [Supplement No. 7 will be distributed at the meeting. Refer to Attachment to Supplement No. 1 for the full report.] [**Anticipated Action Item.]**

(4) Concussion Management. [Supplement No. 8]

b. Update on Legislative Council's consideration of Board of Director's April Resolution. [Supplement No. 9] [Possible action item.]

10. Report from the Committee on Academic Performance. [Supplement No. 10] [No action anticipated.]

11. Report from Jim Haney, executive director, NABC. [Supplement No. 11] [Possible action item.]

12. Report of the April 29, 2010, meeting of the NCAA Executive Committee. [Supplement No. 12] [No action anticipated – for information only.]

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

14. Other business.

15. Future meeting dates.

a. October 28, 2010, National Office, Indianapolis, Indiana.
b. January 15, 2011, NCAA Convention, San Antonio, Texas.
c. April 28, 2011, National Office, Indianapolis, Indiana.
d. August 11, 2011, National Office, Indianapolis, Indiana.
e. October 27, 2011, National Office, Indianapolis, Indiana.
f. January 14, 2012, NCAA Convention, Indianapolis, Indiana

16. Adjournment.

REPORT OF THE APRIL 29, 2010, MEETING OF THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I BOARD OF DIRECTORS.

1. Opening Remarks from the Chair. President Barker noted that this would be his last meeting and wanted to leave the group with a few thoughts:

   - Financial decisions often can be in conflict with our values/mission. The Association has evidenced that it can find equilibrium, as shown by the new Turner/CBS media contract. Emphasis should continue on supporting values-based decisions.

   - The NCAA needs to be human and transparent. A bureaucracy works against our values.

   - We need to link postseason competition more clearly to academic success. I see this as the next major step in academic reform.

   - We should survey our student-athletes to collect data regarding the question—If you had it to do over again, would you select the same institution to attend?

2. Report of the January 16, 2010, Board of Directors meeting. **The Board approved the report of its January 16, 2010, meeting**. (Unanimous Voice Vote.) [Reference Supplement No. 1.]

3. Report of the Division I Presidential Advisory Group. The Board received a report from Ann Millner, chair of the Division I Presidential Advisory Group (PAG), regarding the group's April 28, 2010, meeting. The Board was informed of PAG's view regarding various Board agenda items as they were considered by the Board. [Reference Supplement No. 3.]

4. Report from the Interim President. NCAA Interim President Jim Isch reported on the following items:

   a. **Introduction of NCAA President-Elect**. Mark Emmert, NCAA president-elect, was introduced to the Board. The president-elect addressed the group, noting the challenges ahead for the Association and his excitement in working with the NCAA staff and the membership to address them.

   b. **Media Contract**. The Board received a report from Greg Shaheen, NCAA senior vice president for basketball and business strategies, regarding the general terms of the NCAA's Turner/CBS media contract.

BOARD ACTION: The Board discussed expansion of the Division I Men's Basketball Championship field and agreed to expand the championship field from 65 to 68 teams. (Unanimous voice vote)

c. **Internal Task Forces**. Jim Isch informed the Board of the various short term task forces that have been formed to evaluate topics of importance to Division I and the national office. It is anticipated that appropriate recommendations from these groups will be reported to the Board of Directors and referred to appropriate groups within the governance structure for consideration.

5. Final Report from the Football Academic Working Group. The Board received the final report of the working group's key findings regarding the academic performance of Division I football student-athletes and recommendations for strategies to improve their academic performance.

BOARD ACTION: **The Board expressed strong support for the first four recommendations, noting its intent to sponsor legislation in the 2010-11 cycle to implement the recommendations. The Board requested that the recommendations be put in legislative format for review during its August meeting, with the understanding that the working group will work with the Committee on Academic Performance to address CAP's concerns and any potential unintended consequences that could arise as a result of planned changes in the rules**. (Unanimous voice vote) [Reference Supplement No. 5.]

6. Division I Governance Structure Update.

a. **Report of the March 23, 2010, meeting of the Leadership Council**. Damon Evans, chair of the Division I Leadership Council, reported the following from the March 23, 2010, Leadership Council meeting:

(1) The Council initiated discussion of cost savings recommendations from various Division I cabinets, as wells as financial recommendations discussed by the Division IA Athletics Directors Association. The Council recommended a more global approach when attempting to address spending in intercollegiate athletics. The Council suggested that principles be developed to guide a review of spending and costs. Several Board members suggested that central to values-based decision making will be identification of a set of guiding principles.

(2) The Council completed its study of the Division I membership standards and presented its final report to the Board, requesting that the Board sponsor legislation for the 2010-11 legislative cycle to implement the recommendations.

BOARD ACTION: The Board approved the recommended Division I membership standards, with plans to review the recommendations in legislative format in August, prior to inserting them in to the 2010-11 legislative cycle. (Unanimous voice vote) [See Attachment for the membership standards.]

b. Report of the April 12-13, 2010, meeting of the Division I Legislative Council.

(1) Report on proposals receiving the requisite number of override votes. The Board was informed that the Legislative Council reconsidered Proposal Nos. 2009-22 and 2009-51-B, which were subject to override requests from the membership.

(a) The Council amended the effective date of Section E (related to delayed enrollment and organized competition) of Proposal No. 2009-22 to August 1, 2011, for sports other than tennis, and August 1, 2012, for tennis.

(b) The Council amended Proposal No. 2009-51-B to apply only to men's and women's basketball.

If these changes are acceptable to the membership, no override vote will be necessary at the 2011 NCAA Convention.

(2) Report of Actions Related to Proposals Recommended by the Basketball Academic Enhancement Group and Sponsored by the Board.

(a) The Council adopted Proposal No. 2009-97, which would specify that a student-athlete who receives athletically related financial aid in academic years following the departure of a head coach from the institution is not a counter, provided several criteria are met.

(b) The Council also adopted Sections A and B and defeated Sections C and D of Proposal No. 2009-98. Section A of the proposal specifies policies related to missed class time and Section B modifies the current departure/return restrictions in men's basketball. Section C of the proposal modifies the preseason playing and practice season regulations in men's basketball while Section D would have reduced the maximum number of contests in men's basketball by one.

(3) Report of Actions Related to Proposals that originated with the Basketball Focus Group (BFG). The Council took the following actions regarding the BFG proposals:

(a) Referred Proposal No. 2009-100 to the Division I Men's Basketball Issues Committee for review and consideration of possible legal issues related to the proposal. Proposal No. 2009-100 would specify that an institution shall not host, sponsor or conduct a nonscholastic basketball practice, contest or event in which men's basketball prospective student-athletes participate on its campus or at an off-campus facility regularly used by the institution for practice and/or competition by any of the institution's sport programs.

(b) Adopted Proposal No. 2009-101, as amended by Proposal No. 2009-101-1, which would permit men's basketball coaches to engage in recruiting conversations with prospects during the institution's men's basketball camps or clinics.

(c) Defeated Proposal No. 2009-102, which would specify that in men's basketball, an institution shall only employ (either on a salaried or a volunteer basis) enrolled students or institutional staff members in any capacity at its camps and clinics.

(4) Report of Actions Related to other Selected Proposals. The Council adopted the following selected proposals:

(a) Proposal No. 2009-32-B, which would permit telephone calls at an institution's discretion during a contact period in sports other than football with defined recruiting calendars. D'Antonio noted that the Division I Student-Athlete Advisory Committee expressed its opposition to this legislation; however, the Council supported it.

(b) Proposal No. 2009-47-B, which would specify that 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.

(c) Proposal No. 2009-75-B as amended by Proposal No. 2009-75-B-1, which would 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 or the individual declines the test and signs a written release.

(5) Resolution. Harvey Perlman presented a resolution requesting that the Legislative Council develop a draft of a policy statement that the Board of Directors and Legislative Council might adopt that would provide better guidance regarding consideration of proposed NCAA legislation by applying a metric to identify those legislative proposals to defeat or consider, and those proposals to call to the attention of the Board. The objective of this policy statement should be twofold: (1) to limit the number of legislative proposals approved to those that identify and document a clear national problem that needs to be addressed, and (2) identifies those proposals that might appropriately be considered directly by the Board.

In considering a policy directed at (1) above, the Legislative Council may wish to consider procedures that assure proposals receive the comments of the various governance groups and what evidence should be submitted with any proposal to document its need. In considering a policy directed at (2) above, the Legislative Council may wish to consider the extent to which the proposed legislation has received broad support or whether a governance group or other cabinet or council has rejected the proposal. It may also wish to consider whether the proposed legislation implements a core NCAA value or is at the periphery or has implications that may conflict with a core NCAA value.

The Board would value the Council's advice regarding possible categories of proposals that should be reviewed by the Board (e.g., those that intrude on student athlete time or benefits, those that increase costs).

BOARD ACTION: The Board approved the resolution. (Unanimous voice vote)

7. **Litigation Update**. Elsa Cole, NCAA General Counsel, provided this report to the Board.

8. **Report from the Committee on Academic Performance**. The group received an update on the activities of the Committee on Academic Performance (CAP) from the chair, Walter Harrison. Harrison previewed the latest Academic Performance Rate (APR) data, noting recent trends in football, men's basketball and baseball. The committee continues its

extensive review of the Academic Performance Program (APP) and supported a request to continue the Division I Supplemental Support Fund for fiscal year 2011.

9. Report of New Budget Initiatives for Division I. Harvey Perlman informed the Board of the new Division I budget initiatives for fiscal years 2010-11 and 2011-12.

BOARD ACTION: The Board approved the new initiatives. (Unanimous voice vote) [Reference Supplement No. 9.]

10. Committee on Infractions.

a. Committee on Infractions Appointment. The Board appointed Gregory Sankey, associate commissioner of the Southeastern Conference, to the Division I Committee on Infractions. (Unanimous voice vote) [Reference Supplement No. 13.]

b. Review of Infractions Issues. The Board received an update on the work of the Task Force to Clarify Roles of the Committee on Infractions and Infractions Appeals Committee. The Board was informed that the NCAA staff along with Shirley Raines have been engaged in conversations with the national testing agencies to identify ways in which improved and more timely information can be shared with member institutions and the NCAA Eligibility Center in instances in which a test score is being questioned or challenged by the testing agency. Raines agreed to work with the task force on issues regarding "strict liability" that affects institutions and consideration of "evidence" when such cases are deemed to affect eligibility for competition. Future reports will be provided to the Board as the discussions continue.

11. Governance Transitional Issues.

a. Appointment of new members to the Board of Directors. The Board unanimously approved the following new Board members whose terms begin following the Board's April 2010 meeting:

- Nathan Hatch, Wake Forest University, Atlantic Coast Conference
- Lee Todd, University of Kentucky, Southeastern Conference
- Steadman Upham, University of Tulsa, Conference USA

b. **Appointments to the NCAA Executive Committee**. The Board unanimously approved the appointment of the following Board members to the Executive Committee whose terms begin following the Board's April 2010 meeting:

- James Cofer, University of Louisiana at Monroe
- David Schmidly, University of New Mexico

c. **Appointment of FBS Members to Councils and Cabinets**. The Board reviewed the slate of nominees for councils and cabinets submitted by the FBS conferences. Although the slate falls slightly short of the enhanced diversity requirements, the Board agreed to approve the slate with the condition that any subsequent modifications due to attrition would have to assist in meeting the enhanced diversity requirements. (Unanimous voice vote)

12. **Expression of Appreciation**. David Berst, NCAA vice president of Division I, thanked departing Board members Michael Adams, president, University of Georgia, Southeastern Conference, and Shirley Raines, president, Memphis University, Conference USA, for their service to Division I. He gave a gave a special thanks to James Barker, president, Clemson University, Atlantic Coast Conference, for his service as chair of the Board.

13. **Future meeting Dates**.

a. August 12, 2010, Indianapolis, Indiana.

b. October 28, 2010, Indianapolis, Indiana.

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

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

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

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

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

The National Collegiate Athletic Association
April 30, 2010 SDB/JGC:vlm

NCAA DIVISION I BOARD OF DIRECTORS
April 29, 2010, MEETING ATTENDANCE

Board members in attendance:
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
Carol Cartwright, president, Bowling Green State University, Mid-American 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
Shirley Raines, University of Memphis, Conference USA
Edward Ray, Oregon State University, Pacific-10 Conference
David Schmidly, University of New Mexico, Mountain West Conference

Board members not in attendance:
William R. Harvey, Hampton University, Mideastern Athletic Conference
John Peters, Northern Illinois University, Mid-American Conference

New Board members in attendance as observers:
Nathan Hatch, Wake Forest University, Atlantic Coast Conference
Lee Todd, University of Kentucky, Southeastern Conference
Steadman Upham, University of Tulsa, Conference USA

NCAA staff Liaisons in attendance:
S. David Berst, NCAA
Jacqueline Campbell, NCAA, recording secretary

Guests from other Division I governance bodies:
Damon Evans, University of Georgia, chair of the Division I Leadership Council
Joseph Castiglione, University of Oklahoma, chair of the Football Academic Working Group
Joseph D'Antonio, Big East Conference, chair of the Division I Legislative Council
Walter Harrison, University of Hartford, chair of the Division I Committee on Academic Performance

Other NCAA staff members in attendance: Scott Bearby, Elsa Cole, Erik Christianson, Joni Comstock, Julie Cromer, Diane Dickman, Lynn Holzman, Michelle Hosick, Jim Isch, Tom Jernstedt, Kevin Lennon, Steve Mallonee, Keith Martin, Delise O'Meally, Tom Paskus, Todd Petr, Dennis Poppe, William Regan, Wallace Renfro, Carl Segura, Greg Shaheen, Robert Vowels and Wendy Walters.

The National Collegiate Athletic Association
April 30, 2010 SDB/JGC:vlm

ATTACHMENT
SUPPLEMENT NO. 1
DI Board of Directors 8/10

NCAA Leadership Council Final Report Regarding Division I Membership Criteria April 29, 2010

Background.

On August 9, 2007, the Division I Board of Directors adopted Legislative Proposal 2007-10, which established a four-year a moratorium that prohibited consideration of any new institutional, conference or multi-divisional Division I members until August 2011.

The Board concluded that the time was right, following similar moratoriums in Divisions II and III, for the Division I membership to assess and study the impact of membership migration and to develop reasonable philosophical expectations and legislative requirements for membership in the division. The Board requested the Leadership Council to conduct this study and to make appropriate recommendations regarding possible NCAA legislation.

A preliminary report of recommendations was provided to the Board of Directors in April 2009 and the Division I governance structure, member conferences and institutions were asked to provide reactions. The Leadership Council has continued discussions and submits the following report of recommendations to the Board of Directors for its April 29, 2010 meeting.

Excerpt from the Division I Manual--Division I Philosophy (Bylaw 20.9).

Athletics programs in Division I are guided by a philosophy statement that among other things:

- Emphasizes high standards of academic quality and breadth of academic opportunity;
- Strives for regional and national excellence and prominence and recognizes the dual objective of serving both the institutional community and the general public;
- Provides for extensive opportunities for participation in varsity intercollegiate athletics for both men and women (consistent with the requirements of Title IX) and sponsors at the highest feasible level of intercollegiate competition, men's and women's basketball and football, recognizing subdivisional designations in football;
- Advocates scheduling athletics contests primarily among Division I institutions;
- Emphasizes maintaining institutional control over all funds supporting athletics; and that
- Understands, respects, and supports the programs and philosophies of other membership divisions.

Additional Standards and Assumptions Relied Upon by the Leadership Council in its discussions included that:

- Applicants for membership in Division I should be required to meet, over a period of time, prescribed criteria in order to assure compatibility and compliance with the principles and program objectives of Division I.
- Central to the mission of intercollegiate athletics in Division I is the academic and athletic success of student-athletes, as well as protection of the student-athletes' health and well-being.
- Division I members should be expected to demonstrate a meaningful program-wide financial commitment across its entire athletics program, including for financial aid, number of sports sponsored, recruiting, athletics facilities, rules compliance, coaching, team travel and academic support services.
- Membership standards should promote conference stability, provide access to Division I for qualifying institutions and treat institutions fairly in determining their status as members of Division I.
- The number and nature of multisport conferences in Division I are fundamental considerations in establishing the level, structure and scope of Division I championship competition, the allocation of financial benefits and access to services and governance of the division.
- The multisport conference is the foundation of the NCAA DI governance structure, championships structure, and compliance structure and is rightly positioned in the proposed Division I membership process as a gatekeeper in the new membership model.
- A more comprehensive definition of a multisport conference is appropriate.
- There is a finite level of resources, benefits and good will available to current members of the division, which should be maintained or enhanced through any further expansion of membership.
- Potential new members of Division I should be expected to demonstrate a sustained commitment to Division I standards, assumptions and the Division I philosophy statement before election to membership in the division.
- Current voting ratios/percentages by conference and subdivision within Division I should be maintained through appropriate mathematical adjustments in the event the membership increases.
- The Division I brand has a value that can be approximated through a calculation of the value of direct and indirect services and benefits, as well as of the "image" of Division I and its subdivisions.

Recommendations.

The Council requests that the Board of Directors endorse the following recommendations for further discussion and debate by Division I membership groups and conferences during the spring 2010 and that in August 2010, the Board sponsor appropriate legislative proposals for membership consideration in January and April 2011.

1. **Potential new members of Division I shall enter the division through a four-year "reclassification" process following no less than five-years of membership in Division II. Further, the process described in Bylaw 20.5 shall apply, and an application for membership in Division I will be accepted 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 to the transitioning new member, assist with scheduling, monitor student-athlete well being and enhance accountability during the transition process.**

   Comment: Requiring conference sponsorship and prior membership in Division II is intended to promote the long-term stability of the Association. There should be a check list to assist conferences and transitioning institutions to ensure that institutions are meeting their appropriate benchmarks. The Administration Cabinet should provide additional thought to the timing of when various benchmarks should apply.

2. **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.**

   Comment: Multisport conferences within the Division I championships and governance structure are well suited to determine the needs of conferences and thereby the division. Experience in Division II serves as an appropriate platform to demonstrate the traits necessary to become a productive Division I member.

3. **An application fee shall be required before entering the "reclassification" process, which should either be commensurate with; (1) the estimated annual average value of direct benefits through distributions and championships made available to Division I members - - currently approximately $1,300,000, or (2) the "median" annual value of direct benefits through distributions and championships - - currently approximately $900,000.**

   Comment: This requirement should be data-driven and will change from time to time. This calculation does not include the costs of services or costs to administer the reclassification program. Upon election to Division I membership, the application fee shall be deposited in the NCAA Student Athlete Opportunity Distribution Fund. In the event an institution withdraws during the reclassification process, the application fee would be returned to the institution on a prorated basiss—75% after year one, $50% after year two, 30% after year three and 0% thereafter. It should also be emphasized that conferences may require separate fees for joining the conference. Discussion occurred regarding alternatives where the application fee would be analogous to a business model tied to "brand" value or possibly tied to the educational and administrative costs of the process. It was concluded that as a higher-education association, data based on direct benefits received would be a

simple and clear method and also would demonstrate a meaningful commitment from the prospective member.

4. **Upon beginning the "reclassification" process, the institution must meet Division I sports sponsorship requirements (i.e., 50 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) would continue to apply.**

   Comment: This is the current requirement and no change is recommended. Data reviewed regarding a possible increase to these minimums did not appear to support a change.

5. **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.**

   Comment: The Leadership Council believes a demonstrated commitment to academics should be required. The Committee on Academic Performance recommends that a numerical standard (e.g., 925) be avoided in deference to a "category" of academic penalties.

6. **A preliminary NCAA certification shall be required in year 1 of the four-year "reclassification" period and a full compliance review shall be required before final election to Division I membership. (See Proposed New Division I Reclassification Process beginning on page 9.)**

   Comment: There should be an expectation that the sponsoring conference will assist the institution in this process and that special attention should be given to rules compliance, academic support services, recruiting, coaches, team travel and facilities. Meeting standards early in the process and then demonstrating the ability to sustain such standards is important. The review process must make it clear that reclassification is an evolutionary process so that there is no confusion that receiving positive marks during the certification process does not guarantee eventual Division I membership.

7. **A member institution in Division I will qualify to begin receiving revenue distributions related to sports sponsorship and grants-in-aid upon serving three calendar years as an "active" Division I member. The institution would qualify in year one of active membership to receive Student-athlete Opportunity, Special Assistance and Academic Enhancement Funds, as well as basketball grant funds as determined by its sponsoring conference.**

   Comment: This change ensures that sustainability in the division is not based solely on receipt of NCAA revenues.

8. **The multi-divisional practice that permits a Division II or III institution to designate one men's and one women's sport in Division I shall be discontinued upon the completion of the 2010-11 academic year, except in a sport where no championship is conducted in its division. 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 to qualify for participation in national collegiate championships.**

   Comment: It appears there is agreement to discontinue multidivisional competition, but teams that currently conduct such division I programs should be "grandfathered."

9. **A multisport conference in Division I may not receive voting privileges, conference grant funds or committee service positions in the Division I governance structure until legislation is enacted that names the conference among those identified in applicable sections of Constitution 4 related to representation and voting ratios on the Division I Board of Directors, Legislative and Leadership Councils and the five cabinets. (Refer to No. 13 below.)**

   Comment: This is the current requirement in Division I. Refer to Constitution 3.3.3.2.

10. **No change in criteria is recommended for designation in the Football Championship Subdivision. In addition, a two thirds majority vote of FCS conference representatives present and voting shall be required to modify NCAA rules related to the number of football grants-in-aid and membership standards for the subdivision.**

    Comment: FCS members do not support additional membership requirements to be designated as an FCS member. The unique and fundamental rules related to the number of grants-in-aid and FCS membership standards define the subdivision and should require broad support before modifications occur.

11. **The FBS subdivision shall require a bona fide invitation for membership in an FBS conference before an FCS institution may be reclassified to the FBS subdivision.**

    Comments: The FBS conferences do not support additional membership requirements for its subdivision. However, the bowl structure of the FBS should not be expected to support an expanded membership in that subdivision without appropriate conference sponsorship and support.

12. **The role of the Administration Cabinet and the benchmarks for the four-year reclassification process shall be reviewed by the Administration Cabinet to ensure coordination by the cabinet with sponsoring conferences.**

Comments: Through coordination with conferences in providing guidance and assistance to potential new member institutions, some procedural functions performed now by the Administrative Cabinet could be transferred to conference offices.

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

Comments: This should be noncontroversial legislation and is recommend by the Leadership Council.

14. NCAA Division I – Recommended Multisport Conference Standards and Definition.

a. Institutional Members.

(1) A multisport conference shall have a minimum of seven (7) active Division I members.
(2) A multisport conference shall have a minimum of seven (7) active members participate in both men's and women's basketball.

b. Conference Sports Sponsorship.

(1) A multisport conference shall sponsor a minimum of 12 NCAA Division I sports.
(2) A multisport conference shall sponsor a minimum of six men's sports. In each of these six sports, a minimum of six active members shall compete.
(3) A multisport conference shall sponsor a minimum of six women's sports. In each of these six sports, a minimum of six active members shall compete, or a minimum of five active members for an emerging sport.
(4) In addition to men's basketball, a multisport conference shall, at a minimum, sponsor either football, with a minimum of six active members competing in football, or sponsor two additional men's team sports, with a minimum of six active members participating in each of these two sports.
(5) In addition to women's basketball, a multisport conference shall sponsor at least two additional women's team sports, with a minimum of six active members participating in each of these two sports.

c. Regular Season Conference Competition.

(1) Basketball: Basketball teams shall participate in a regular season conference schedule of a double round robin, or a minimum of 14 regular season conference contests.

(2) Minimum Required Team Sports, Other Than Basketball [b- (4) and (5) above]: In the team sports sponsored to meet the minimum team sports sponsorship requirement, teams shall compete in a minimum regular season conference schedule of five contests. A minimum of five regular season conference contests must be hosted by one of the two competing teams at its home site venue.

d. Officiating. A multisport conference shall provide oversight of the officiating programs for selecting, training and assigning officials for its men's and women's basketball programs.

e. Compliance. A multisport conference shall have a comprehensive compliance program.

f. Continuity. A multisport conference must meet the institutional membership requirement (a. above) before it may be considered for continuity. To establish continuity, a multisport conference must meet the sports sponsorship and regular season competition requirements (b. and c. above) for a period of eight consecutive years. If a conference establishes continuity, it may be considered for multisport membership in Division I.

g. Core. A multisport conference that is recognized in the NCAA Governance Structure as a result of legislation [see No. 9 above] shall be considered a core conference. A core conference shall:

(1) Have representation and voting standing in the NCAA Division I Governance Structure.
(2) Be eligible to submit nominees for and have its delegates serve on NCAA Division I committees.
(3) Be eligible to receive AQ into NCAA championships, provided the conference competes with a minimum of six active participants in the sport.
(4) Receive conference grant funds.
(5) Receive, on behalf of its members, Special Assistance/Student-Athlete Opportunity Funds.

Division I Reclassification Process.

The following information outlines the membership reclassification process for any Division II or non-NCAA institution seeking to reclassify its entire athletics program to Division I membership. It should be noted that multidivisional membership (i.e., classifying one men's and or one women's sport other than football and basketball in Division I) will be discontinued following the 2010-11 academic year for any additional Division II or III institutions.

General Requirements.

The following general requirements must be satisfied prior to an institution entering the reclassification process.

- The reclassifying institution must have been an active NCAA Division II member for the preceding five years.
- The institution must be meeting applicable Division I minimum financial aid and sports-sponsorship membership requirements.
- The institution must have been extended a bona fide offer of membership by an active DI multisport voting conference.
- The institution and conference must complete an application form accompanied by an application fee (based on a yet to be determined figure based on either the average or mean of the Division I revenue distributions and championship benefits in the year of application) no later than June 1 preceding entry into year one of the reclassification process that is approved by the Division I Administration Cabinet. The institution must provide notice if it is currently involved in an investigation, an infractions case or on probation with its current governing body.
- The institution must submit a skeletal strategic plan to the Administration Cabinet that addresses the Division I philosophy statement (see Bylaw 20.9) and athletics certification operating principles (see Bylaw 22.2) approved by the conference office no later than June 1 preceding entry into year one of the reclassification process.

[Note: The Administration Cabinet shall have oversight responsibilities and shall monitor each institution's progress through the reclassification process. The cabinet shall have the authority to decline moving an institution to the ensuing year of the process if it deems that deficiencies warrant that the institution repeat a year].

Year One.

- Attendance at an orientation session conducted by the national office staff related to basic Division I operating rules and membership requirements. Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator.
- Attendance at the NCAA Convention Division I Issues Forum and business session (if such a session is conducted). Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator.
- Attendance at a regional rules seminar conducted by the NCAA. Institutional representatives required to attend are the chancellor or president [or an individual appointed by the chancellor or president with executive status at the institution], the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator.
- Apply all Division I legislation except scheduling requirements and continuing eligibility requirements (e.g., progress-toward-degree, five year rule) for student-athletes who are completing their final season of competition and were enrolled at the institution at least one year prior to entering year one of the reclassification process.
- Completion of a preliminary NCAA athletics certification orientation (conference representatives will also be required to be in attendance).
- Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation.
- Submit an annual report and an updated strategic plan by June 1 based on feedback from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report and provide notice if the institution is currently involved in an investigation, infractions case or on probation with its current governing body.

Year Two.

- Full compliance with all Division I legislation and membership requirements.
- Attendance at the NCAA Convention Division I Issues Forum and business session (if applicable). Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator.
- Attendance at a regional rules seminar conducted by the NCAA. Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator.
- Completion of a compliance review conducted by the national office and submission of a report with an institutional response to the findings and recommendations.
- Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation.
- Submit an annual report and an updated strategic plan by June 1 based on feedback from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report and provide notice if the institution is currently involved in an investigation, infractions case or on probation with its current governing body.

Year Three.

- Attendance at the NCAA Convention Division I Issues Forum and business session (if applicable). Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator.
- Attendance at a regional rules seminar conducted by the NCAA. Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator.

- Completion of an athletics certification orientation.
- Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation.
- Submit an annual report and an updated strategic plan by June 1 based on feedback from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report and provide notice if the institution is currently involved in an investigation, infractions case or on probation with its current governing body.

Year Four.

- Successfully complete an NCAA athletics certification and evaluation visit.
- Attendance at the NCAA Convention Division I Issues Forum and business session (if applicable). Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator.
- Attendance at a regional rules seminar conducted by the NCAA. Institutional representatives required to attend are the chancellor or president [or an individual appointed by the chancellor or president with executive status at the institution], the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator.
- Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation.
- Submit an annual report and an updated strategic plan by June 1 based on feedback from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report and provide notice if the institution is currently involved in an investigation, infractions case or on probation with its current governing body.
- A prospective member institution may not be elected to active membership if it is subject to a historical penalty under the NCAA Division I Academic Performance Program.

Post-Reclassification.

- After completion of the four year reclassification process, the Board of Directors, on the recommendation of the Division I Administration Cabinet, shall have the authority to elect the institution to active Division I status.
- The institution must submit a progress report to the Committee on Athletics Certification regarding its progress on any plans for improvement (as previously recommended by the committee) no later than the conclusion of its second year of active Division I membership.
- A new Division I institution will qualify to receive revenue distributions related to sports sponsorship and grants-in-aid after serving three calendar years as an active Division I member.
- A new Division I institution will qualify immediately to receive Student-Athlete Opportunity, Special Assistance and Academic Enhancement Funds, as well as basketball grant funds as determined by the institution's conference.

REPORT OF THE APRIL 28, 2010, MEETING OF THE DIVISION I PRESIDENTIAL ADVISORY GROUP

ACTION ITEMS.

Division I Membership Standards. The Presidential Advisory Group (PAG) reviewed the Leadership Council's final report of recommendations regarding Division I membership standards, which included the following requirements related to Football Championship Subdivision (FCS) football:

1. That an institution seeking to move from FCS to the Football Bowl Subdivision (FBS) must have a bona fide invitation for membership from a FBS conference.

2. That a super-majority vote (two thirds) be required to revise the current FCS scholarship limit or to modify current FCS membership standards (i.e., scheduling requirements, sports sponsorship requirements).

Recommendation: That the Division I Board of Directors sponsor necessary legislative proposals for implementation of the recommended membership standards beginning in August 2011.

INFORMATIONAL ITEMS.

1. **Introduction of the NCAA President-Elect.** Mark Emmert, NCAA president-elect was introduced to the group. The president-elect addressed the group, noting his appreciation for being selected as the next president of the Association, as well as his anticipation of future challenges.

2. NCAA Media Contract. The group received a report from Greg Shaheen, NCAA senior vice president for basketball and business strategies, regarding the general terms of the NCAA's new Turner/CBS media contract. The group discussed possible expansion of the championship field and expressed its support to move to 68 teams. The group offered comments for the Division I Men's Basketball Committee to consider when it discusses possible format for a 68-team championship this spring and summer.

3. Update on Internal Task Forces. Jim Isch, interim NCAA president, reviewed key short term task forces that have been formed to evaluate topics of importance to Division I and the national office. It is anticipated that appropriate recommendations from these groups will be reported to the Board of Directors and referred to appropriate groups within the governance structure for consideration.

4. Update on Legislative Issues. The group was informed that the Division I Legislative Council reconsidered Proposal Nos. 2009-22 and 2009-51-B, which were subject to override requests from the membership. The Council amended the effective date of Section E (related to delayed enrollment and organized competition) of Proposal No. 2009-22 to August 1, 2011, for sports other than tennis, and August 1, 2012, for tennis. In reviewing Proposal No. 2009-51-B, the Council amended the proposal to apply only to men's and women's basketball. If these

changes are acceptable to the membership, no override votes will be necessary of these matters during the 2011 NCAA Convention.

5. **Report from the Committee on Academic Performance.** The group received an update from Committee on Academic Performance chair Walter Harrison. He noted that during its recent meeting, the committee previewed the latest Academic Performance Rate (APR) data, supported a request to continue the Division I Supplemental Support Fund for fiscal year 2011 and continued its comprehensive review of the Academic Performance Program (APP).

6. **Final Report from the Football Academic Working Group.** Dennis Poppe, NCAA vice president for football and baseball, presented the final report of the Football Academic Working Group. Certain concerns by CAP were reviewed and it was noted further consideration of potential unintended consequences is being encouraged by CAP before legislation is sponsored by the Board of Directors.

7. **Recommendations for Diversity in the New Governance Structure.** The group reviewed the recommendations for diversity in the governance structure that were endorsed by the Board of Directors in January and several commissioners expressed concern that adding positional requirements to the gender and ethnicity requirements will make it extremely difficult for conferences to fill their nomination slates with volunteers who have an appropriate level of knowledge and expertise. PAG noted its support conceptually for the recommendations, but suggested that the Board consider implementing the recommendations in stages, and possibly refer the issue to the Leadership Council to develop alternative recommendations.

8. **Update on the NCAA Outreach Program for First-Time Chancellors and Presidents.** The group received an update on the outreach program and was informed of the positive responses from first-time presidents and chancellors with regard to the role of sitting presidents in the program. The presidents were encouraged to notify staff if they have an interest in participating in the program and a letter will be transmitted to PAG members and commissioners in the near future to solicit participation in the program.

9. **Future Meeting Dates and Times.**

   (1) August 9, 2010, 3 p.m. (Eastern time), conference call.
   (2) October 27, 2010, The Westin Indianapolis, Indianapolis, Indiana.
   (3) January 10, 2011, 3 p.m. (Eastern time), conference call.

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

SUPPLEMENT NO. 4
DI Board of Directors 8/10

RESTORING THE BALANCE

Dollars, Values, and the Future of College Sports

Knight Commission
On Intercollegiate Athletics

Sponsored by the John S. and James L. Knight Foundation

This report sets forth reforms that are achievable and that, if implemented, will create a foundation upon which future reforms can build. Our blueprint for restoring educational values and priorities begins with strengthening accountability for intercollegiate athletics in three ways:

1. Requiring greater transparency and the reporting of better measures to compare athletics spending to academic spending
2. Rewarding practices that make academic values a priority
3. Treating college athletes as students first and foremost—not as professionals

For additional content and video, see the multimedia version of this report at
restoringbalance.knightcommission.org

Knight Commission
On Intercollegiate Athletics

LETTER OF TRANSMITTAL

Alberto Ibargüen
President and Chief Executive Officer
John S. and James L. Knight Foundation
200 South Biscayne Blvd., Suite 3300
Miami, FL 33131

Dear Mr. Ibargüen:

Almost 20 years ago, the Knight Commission on Intercollegiate Athletics released a landmark report about major college athletics. It criticized low athlete-graduation rates, questionable academic standards, and the increasing tendency of athletics programs to operate independently of university oversight. The trustees of the Knight Foundation feared that these persistent problems, found in all too many major college sports programs, threatened the very integrity of higher education. The report created a detailed roadmap for reforming college sports and was quickly embraced by higher education leaders.

Since then, presidents and other leaders of Division I institutions have done much to improve governance policies and to raise academic expectations. The result has been better classroom outcomes for athletes and greater accountability for their coaches, teams, and institutions. Yet while we are proud that the Commission's 1991 report and its subsequent work have had a positive impact, we are acutely aware of how much remains undone.

Most urgent of the remaining goals set out in the Commission's 1991 report is financial reform. The costs of competing in big-time intercollegiate sports have soared. Rates of spending growth are breathtaking. This financial arms race threatens the continued viability of athletics programs and the integrity of our universities. It cannot be maintained.

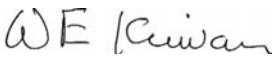
Despite our deep concern about this problem, we believe firmly that—at their best—intercollegiate sports bring enormous benefits to their universities and communities. Indeed, we take as our starting point the mission articulated by James L. Knight, Chairman of the Knight Foundation in 1989: "We recognize that intercollegiate athletics have a legitimate and proper role to play in college and university life. Our interest is not to abolish that role but to preserve it by putting it into perspective."

This report sets forth reforms that are achievable and that, if implemented, will create a foundation upon which future reforms can build. Our blueprint for restoring educational values and priorities begins with strengthening accountability for intercollegiate athletics in three ways:

1. Requiring greater transparency, including better measures to compare athletics spending to academic spending
2. Rewarding practices that make academic values a priority
3. Treating college athletes as students first and foremost—not as professionals

We express our deep gratitude for the continuing support Knight Foundation has provided to this effort. We hope that our recommendations, like those of previous Commissions, will significantly advance much-needed policy changes in college athletics.

Sincerely,



William E. Kirwan
Co-Chairman
Chancellor
University System of Maryland

R. Gerald Turner
Co-Chairman
President
Southern Methodist University

LETTER OF TRANSMITTAL

Val Ackerman
Adjunct Professor, Columbia University
Founding President, Women's National Basketball Association

William W. Asbury
Vice President Emeritus for Student Affairs, Pennsylvania State University

Nicholas A. Buoniconti
Board of Trustees, University of Miami

Carol A. Cartwright
President, Bowling Green State University

John J. DeGioia
President, Georgetown University

Elson S. Floyd
President, Washington State University

Sarah Lowe
Graduate Student, Department of International Development, St. Antony's College, University of Oxford

Jerry I. Porras
Lane Professor of Organizational Behavior and Change Emeritus, Stanford University

Clifton R. Wharton Jr.
President Emeritus, Michigan State University
Former Chairman and CEO, TIAA-CREF

Charles E. Young
President Emeritus, University of Florida and Chancellor Emeritus, University of California, Los Angeles

Michael F. Adams
President, University of Georgia

Henry S. Bienen
President Emeritus, Northwestern University

Hodding Carter III
University Professor of Leadership and Public Policy, University of North Carolina, Chapel Hill

Anita L. DeFrantz
President, LA84 Foundation

Leonard J. Elmore
Chief Executive Officer, iHoops

Janet Hill
Vice President, Alexander & Associates Inc. and Trustee, Duke University

Andrea Fischer Newman
Senior Vice President - Government Affairs, Delta Air Lines, and Board of Regents, University of Michigan

Sonja Steptoe
Former Journalist, *Time, Sports Illustrated, The Wall Street Journal*

Judy Woodruff
Senior Correspondent, *The PBS NewsHour* and Trustee Emerita, Duke University

Chris Zorich
Manager of Student Welfare and Development, The University of Notre Dame

INTRODUCTION

At the nation's most prominent universities, intercollegiate athletics have always played a dual role in campus life. On the one hand, they are managed for the benefit of student-athletes. On the other, they inspire the interest and passions of thousands, if not millions, of fans. For most teams at most institutions, these roles can be reconciled. But in high-profile sports, tensions often surface between the core mission of universities and commercial values.

These tensions have grown significantly over the past two decades. The pursuit of television contracts and slots in football bowl games, together with the quest to win championship tournaments in basketball, have had a destabilizing influence on athletics programs. Among other worrisome developments, the intensely competitive environment at the top levels of college sports has prompted four rounds of realignment among athletic conferences since 1994; a bidding war for prominent coaches; and accelerating expenses across the board.

The growing emphasis on winning games and increasing television market share feeds the spending escalation because of the unfounded yet persistent belief that devoting more dollars to sports programs leads to greater athletic success and thus to greater revenues.

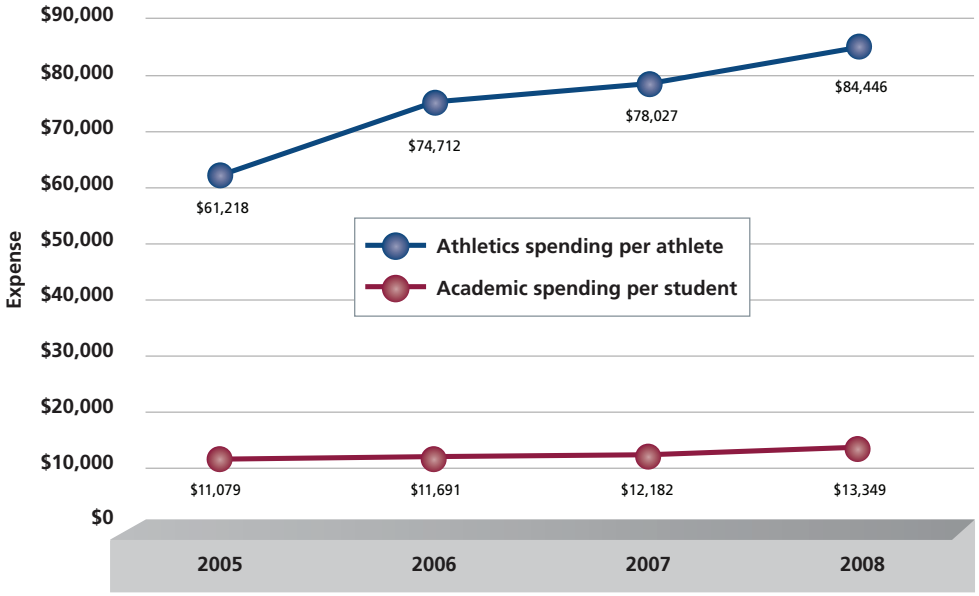
In fact, only a tiny number of college athletics programs actually reap the financial rewards that come from selling high-priced tickets and winning championships. According to a *USA Today* analysis, just seven athletics programs generated enough revenue to finish in the black in each of the past five years. This reality is often obscured by headlines about money in college sports, such as the recent 14-year, $10.8 billion television rights deal for the NCAA men's basketball tournament, and yet another round of conference realignments and expansions designed to increase television market share.

The growing emphasis on winning games and increasing television market share feeds the spending escalation.

Figure 1:

Athletics spending rises while academic spending is flat

Medians for academic spending per student compared to athletics spending per athlete, Football Bowl Subdivision institutions, 2005-2008



This figure compares growth in median athletics spending per athlete to median academic spending per student at 97 of the 103 public institutions in the FBS. The growth over time for athletics spending was 37.9 percent compared to 20.5 percent for academic spending. All figures are in current dollars. Academic spending reflects the full cost of education measure, which includes spending for instruction, student services, and shared overhead costs for academic, instructional, and operations support averaged per full-time equivalent student. Athletics spending includes all athletics operating expenses averaged on a per athlete basis. More detailed data grouped on a conference basis are available in the online report at restoringbalance.knightcommission.org.

Source: See endnotes.

Nevertheless, the pursuit of those elusive goals by many programs creates a cost spiral that causes athletics spending to rise at rates often exceeding those on academic spending. At many universities, institutional spending on high-profile sports is growing at double or triple the pace of spending on academics. This is due to much more than multimillion dollar salaries for football and basketball coaches. Less-publicized trends also play a significant role, including a steep increase in the number of expensive non-coaching personnel devoted to individual sports.

In some instances, there are legitimate reasons for athletics spending to outpace education-related spending on a per-student basis. Health insurance for student-athletes is a unique and large expense, for example. But expenses like this cannot account for the lopsided spending patterns seen at some universities. Median athletics spending per athlete at institutions in each major athletics conference ranges from 4 to nearly 11 times more than the median spending on education-related activities per student (see Figure 2).

Median athletics spending per athlete at institutions in each major athletics conference ranges from 4 to nearly 11 times more than the median spending on education-related activities per student.

Figure 2:

Academic and athletics spending by conference

Medians for academic and athletics spending on a per capita basis, Football Bowl Subdivision conferences, 2008

FBS Conference	Academic Spending per FTE Student 2008	Athletics Spending per Athlete 2008	Athletics Spending per Athlete Outpacing Academic Spending per Student by 4 to 11 times
Southeastern (SEC)	$13,410	$144,592	10.8
Big 12	$13,741	$124,054	9.0
Big Ten	$17,025	$115,538	6.8
Atlantic Coast (ACC)	$15,911	$105,805	6.6
FBS Median	**$13,349**	**$84,446**	**6.3**
Pacific-10	$15,149	$94,545	6.2
Conference USA	$11,222	$64,508	5.7
Mountain West	$13,404	$69,000	5.1
Western Athletic (WAC)	$12,251	$62,634	5.1
Big East	$17,504	$84,887	4.8
Sun Belt	$9,691	$41,895	4.3
Mid-American (MAC)	$12,032	$48,139	4.0

This figure shows academic and athletics spending on a per capita basis using median expenses in 2008. Academic and athletics spending data reflect the measures described in Figure 1.

Source: See endnotes.

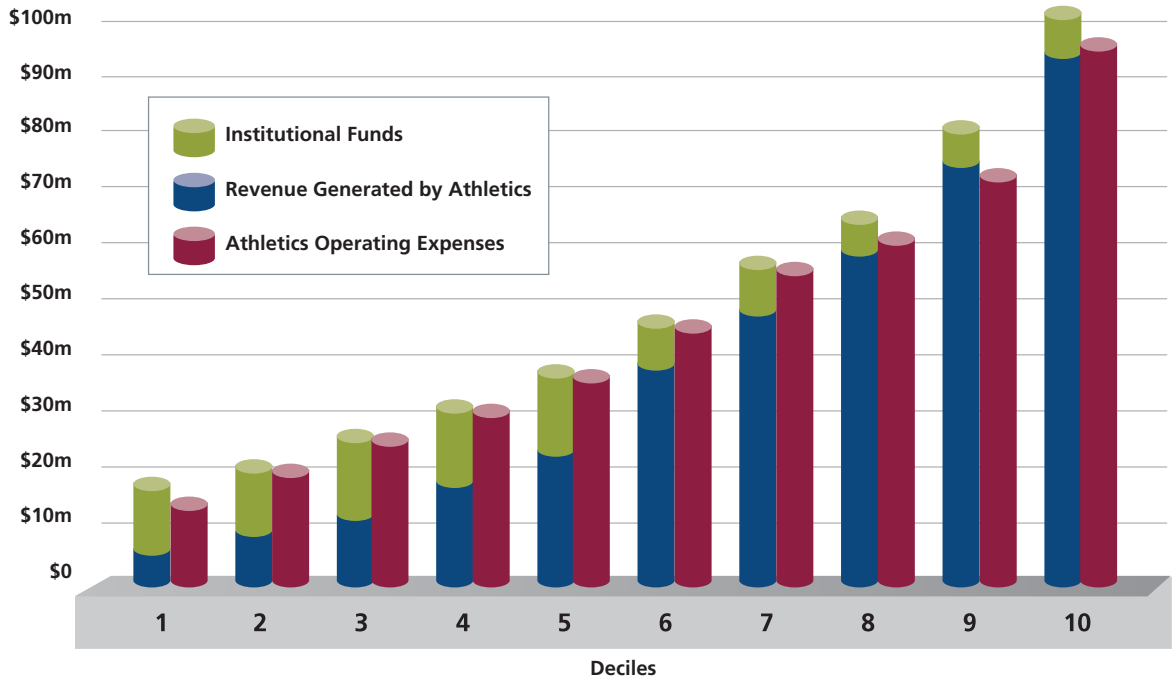
At most institutions, these expenditures require a redistribution of institutional resources. Because sports revenues so often fall short of meeting the needs of athletics programs, almost all programs must rely on allocations from general university funds, fees imposed on the entire student body, and state appropriations to meet funding gaps (see Figure 3). This is a significant concern at a time when economic woes have devastated state budgets and institutional endowments alike. Conflicts over funding between academics and athletics are growing.

Indeed, reliance on institutional resources to underwrite athletics programs is reaching the point at which some institutions must choose between funding sections of freshman English and funding the football team. And student-athletes in non-revenue sports risk seeing their teams lose funding or be cut entirely. These threats extend well beyond universities with high-budget athletics programs: it is clear that the spending race that too often characterizes major football and basketball programs is creating unacceptable financial pressures for everyone.

Figure 3:

Institutional funds needed to balance budgets

Average expenses compared to average revenue generated by athletics and institutional funding, Football Bowl Subdivision institutions, 2008



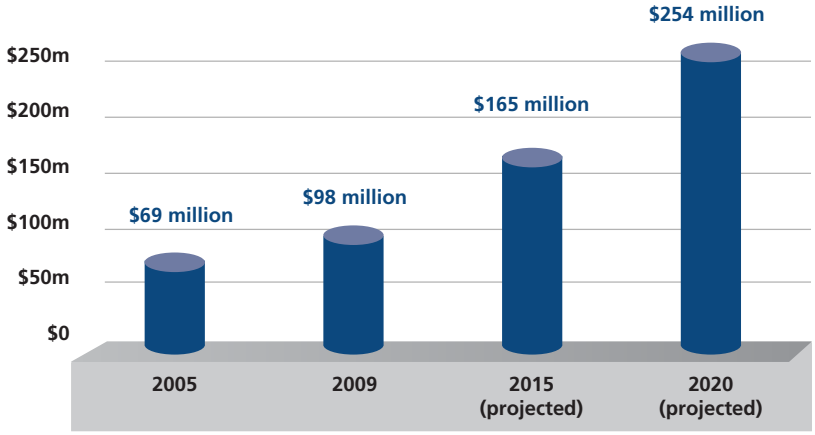
In this figure, generated revenue consists of funds the athletics program earned from external sources, such as ticket sales and broadcast revenues. Institutional funds consist of student fees, transfers from general fund sources, state appropriations, and other sources internal to the institution. This figure shows that most institutions require institutional funding to balance their athletics operating budget. These **2008** data represent the average operating expenses of all FBS institutions, including private institutions. Deciles are ranked according to **2007** athletics operating expenses. According to 2008 expenses, the institutions in Decile 1 had average athletics operating expenses of $14.7 million, and institutions in Decile 10 had average athletics operating expenses of $96.7 million. The table displaying the exact dollar amounts represented in this figure can be found in the online report at restoringbalance.knightcommission.org.

Source: NCAA

Figure 4:

Top athletics budgets exceed $250 million in 2020

Budget projections for the top ten public institutions spending the most on athletics, 2015 and 2020



Average Budgets for Top Ten Spenders on Athletics

This figure shows future projections for the average athletics operating budget for the ten public institutions spending the most on athletics in 2009. The growth rate projections are based on the "smoothed" annual rates of change for total operating expenses during the following periods: 2005-2009, 2006-2009 and 2007-2009.

Source: *USA Today* NCAA athletics database using data reported by each institution on NCAA financial reports.

It is clear that the spending race that too often characterizes major football and basketball programs is creating unacceptable financial pressures for everyone.

In brief, if the business model of intercollegiate athletics persists in its current form, the considerable financial pressures and ever-increasing spending in today's college sports system could lead to permanent and untenable competition between academics and athletics. More broadly, this model could lead to a loss of credibility not just for intercollegiate sports but for higher education itself.

The current financial downturn should be a wake-up call for all programs. It has significantly refocused academic priorities and even forced some institutions to ratchet back spending on sports—primarily by paring teams in lower-profile sports, thus curtailing opportunities for student-athletes. However, even with this new reality, top programs are expected to have athletics budgets exceeding $250 million by 2020, based on data from the past five years. Even for the largest and best-positioned universities, a $250 million athletics budget serving an average of 600 student-athletes is untenable (see Figure 4).

In the Commission's view, addressing misplaced spending priorities requires answering some searching questions: Are financial incentives at the national, conference, and institutional levels rewarding behaviors that are aligned with the core values of higher education, institutions' educational missions, and amateur athletic competition? Or are they creating a "winner take all" market in which there are very few winners? More often we see the latter.

Changing course will not be easy. But we know that some institutions have been able to achieve a healthy balance between academic and athletics spending. We believe that the reforms laid out in this report can help all college athletics programs do the same.

Academic reform hit a tipping point when graduation rates were first shared publicly. We believe the same will be true for financial reform when there is far greater openness about spending on college sports.

Presidents of universities with major football programs clearly recognize the need for change. In a 2009 Knight Commission survey, a large majority said that they believe today's revenue and spending trends are not sustainable for athletics programs as a whole. Nearly half expressed concern about the proportion of institutional resources being used to support athletics programs, and a similar proportion said they feared that economic pressures might force them to discontinue a sport.

Presidents also understand the urgency of acting together. To be sure, some institutions have been able to achieve financial stability, taking advantage of significant revenue opportunities while exercising prudent management. But it is clear that the vast majority of Division I institutions will not be able to do so without a shared structure that provides athletics programs and universities with the information, expectations, and incentives needed to achieve a better balance in their spending priorities.

The Commission believes that the first step among the many actions needed to redress the imbalance in athletics spending is to make financial data in intercollegiate sports, both for public and private institutions, readily available to the general public and to trustees, state legislators, students, parents, and the media. Academic reform hit a tipping point when graduation rates for student-athletes were first shared publicly. We believe the same will be true for financial reform when there is far greater openness about spending on college sports—in absolute dollars, in growth levels, and in comparison to academic budgets.

We applaud the NCAA's good work over the past five years in improving the accuracy of financial data and organizing that information into a database accessible to all presidents. These valuable efforts provide a solid foundation on which to build. But much more needs to be done.

We believe that more data, better data, and more transparent data will mean greater accountability for college sports, both on campus and in the public eye.

After all, at a time when all of U.S. higher education is under unprecedented pressure to be more transparent to the public and more accountable for the results it achieves, intercollegiate athletics cannot expect to be immune to the same standards. Moreover, as with other parts of higher education, heightened scrutiny of college sports should not be viewed as a threat but as an opportunity. With the spotlight already on intercollegiate athletics, more effective disclosure of finances—and of financial priorities—will enhance the long-term prospects of college athletics by ensuring that they remain part of, not apart from, the central mission of colleges and universities.

Our recent survey of college presidents shows that they are united in their desire for greater transparency in athletics spending. Given the diversity and complexity of the challenges they face, however, they are understandably wary of one-size-fits-all solutions. Backers of constructive change face a considerable practical challenge—marking a path to financial reform in a system characterized by great diversity in resources, funding models, institutional practices, and state laws. These concerns are legitimate, but we believe they can be overcome.

In the recommendations that follow, the Commission outlines how the influence of big money in high-profile college athletics can and must be reduced. We aim not only to foster much-needed discussion but, above all, to stimulate reform.

With the spotlight already on intercollegiate athletics, more effective disclosure of finances—and of financial priorities—will enhance the long-term prospects of college athletics by ensuring that they remain part of, not apart from, the central mission of colleges and universities.

PRINCIPLES AND RECOMMENDATIONS

Knight Commission Principles

Before detailing our specific proposals, we begin with two broad principles that have guided our discussions and informed our final recommendations:

- **Academics first.** Each institution must make decisions regarding athletics budgets with a view to how they will affect its academic mission and values. Spending on educational activities should not be compromised to boost sports funding.

- **Responsible spending.** Fiscal discipline in athletics programs must be a top priority for the NCAA, for individual conferences, and for colleges and universities themselves. At every level of oversight of college sports, financial policies should aim to strengthen each institution's broader educational mission; to preserve and promote college athletes' educational and athletic opportunities; and to strengthen the capacity of colleges and universities to offer extensive and equitable participation opportunities for men and women.

Knight Commission Recommendations

Our blueprint for restoring educational values and priorities calls for strengthening accountability for intercollegiate athletics in three ways:

I **Requiring greater transparency, including better measures to compare athletics spending to academic spending**

II **Rewarding practices that make academic values a priority**

III **Treating college athletes as students first and foremost —not as professionals**

I REQUIRING GREATER TRANSPARENCY, INCLUDING BETTER MEASURES TO COMPARE ATHLETICS SPENDING TO ACADEMIC SPENDING

Real long-term progress in athletics financing across all NCAA Division I institutions requires the availability of clear, comparable, and complete financial data, together with strategies to improve accountability.

A. Transparency

All Division I institutions should publish accurate and comparable information about revenues and expenses in athletics every year.

1. **Make NCAA financial reports public.** These standardized reports on athletics spending and revenues are already used by the NCAA to provide presidents and chancellors with a set of metrics in the form of "dashboard indicators" to assess their athletics programs' financial health and their revenue and expense patterns relative to peer institutions. However, these institutional data are rarely seen by the general public.

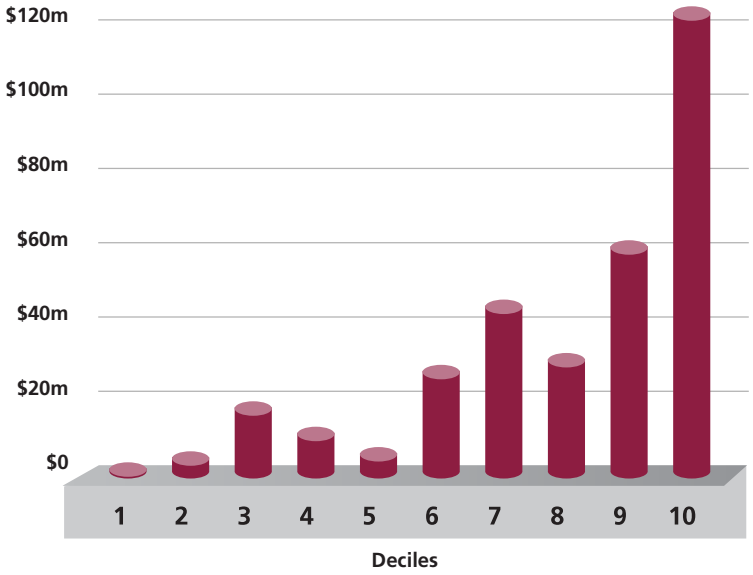
   Colleges are also required to file separate financial and participation reports annually with the U.S. Department of Education in compliance with the Equity in Athletics Disclosure Act of 1994 (http://ope.ed.gov/athletics). But the financial data in these reports lack comparability because the law requires colleges to report information in overly broad categories, permitting wide variation from institution to institution.

   We recognize that data in the NCAA's standardized reports are not perfect. For example, they do not account for varying budget treatment of tuition waivers for scholarship athletes, which can make it difficult to compare spending between institutions. However, these audited reports represent the most accurate athletics financial reports available and, as such, the data should be publicly reported. The NCAA should work with outside auditors to improve the accuracy and campus-to-campus comparability of the NCAA financial reports and the summary indicators they produce. Updates and modifications to the reports and indicators should be made regularly as needed.

Figure 5:

Athletics debt for big-time programs

Medians for overall athletics debt grouped by operating expense budget, Football Bowl Subdivision institutions, 2008



This figure updates the athletics debt data revealed in the Knight Commission's *College Sports 101* report that ranked every FBS institution according to 2007 operating expense budgets and grouped them in the appropriate spending decile. According to 2008 operating expenses, the institutions in Decile 1 had median athletics operating expenses of $14 million and institutions in Decile 10 had median athletics operating expenses of $95 million. Using those deciles, this figure shows the medians for overall athletics debt reported for 2008 by all FBS institutions, including private universities.

Source: NCAA

Because of the large role facilities expansion and debt play in athletics spending, we believe that these new public financial reports should compare capital debt in athletics to overall institutional capital debt.

2. **Publish additional information about long-term debt and capital spending.** Because of the large role facilities expansion and debt play in athletics spending, we believe that these new public financial reports should compare capital debt in athletics to overall institutional capital debt. They should also compare annual athletics debt service to overall operating expenses in athletics. Such comparisons would usefully illustrate the level of risk to the long-term financial security of the university if there is a downturn in the athletics revenues that cover debt service payments.

3. **Report annually on growth rates in academic and athletics spending.** Each institution should publish comparisons of the growth rate in athletics spending and in education-related spending, both calculated using improved assessment measures. (More information about these measures as well as data showing how conferences stack up against each other on these measures can be found in the Commission's online report: restoringbalance.knightcommission.org.)

B. Strengthened oversight

Along with implementation of the transparency agenda outlined above, institutions that fail to give precedence to core academics values over athletic goals must face more substantial consequences. We recommend the following:

1. **Reform the NCAA Division I certification process.** In 2004, the NCAA dropped financial integrity as a principle in certification. We strongly recommend its reinstatement. Specifically, the certification process should require colleges to evaluate their athletics programs along the lines recommended in this report.

2. **Strengthen accreditation.** Regional accreditation should include an assessment of institutional and overall spending on intercollegiate athletics, including studies of how institutions oversee and regulate athletics expenditures.

3. **Reinforce board responsibilities.** College and university trustees also play a key role in ensuring the integrity of athletics programs. The Commission reiterates its endorsement of a 2007 report by the Association of Governing Boards. Among the guidelines for oversight boards to follow, the report called for close attention to the appropriate level of revenues and spending on athletics; to transparency and accountability; and to whether academic values are properly reflected in spending decisions.

After all, at a time when all of U.S. higher education is under unprecedented pressure to be more transparent to the public and more accountable for the results it achieves, intercollegiate athletics cannot expect to be immune to the same standards.

II REWARDING PRACTICES THAT MAKE ACADEMIC VALUES A PRIORITY

A. Strengthening eligibility standards for participation in championships

We repeat the Commission's 2001 recommendation that a team should be on track to graduate at least 50 percent of its players to be eligible for postseason championships. While we support the NCAA's effort to improve its academic accountability measures, the Commission believes that current standards remain too low and that it takes far too long—typically several years—for postseason bans based on poor academic results to be enforced. The Commission now recommends that eligibility for championships be determined at the start of each new academic year and conditioned upon teams achieving an Academic Progress Rate (APR) that predicts at least a 50 percent graduation rate under the NCAA's graduation measure. (The APR was adopted by the NCAA in 2004 to track academic success and retention semester to semester. An APR of 925 predicts a graduation rate of approximately 50 percent.)

Such a standard would have a significant impact on revenue distribution because successful men's basketball tournament teams can earn financial rewards even when their academic records are dismal. For example, teams that failed to meet the Commission's recommended standard for tournament eligibility, as described above, during one or more of the past five tournaments (2006 to 2010) will earn their conferences at least $54 million next year under current revenue distribution policies. If the Commission's recommendation is adopted, these tournament slots, and the financial rewards that accompany them, will be reserved for teams that meet legitimate academic standards.

B. Distributing revenues according to educational values and priorities

Beyond the need to make tournament eligibility contingent on reaching core academic benchmarks, the Commission believes that the detailed formulas by which shared revenues are distributed must also be more closely aligned with academic values. In addition to the shared revenues that all NCAA Division I member institutions receive, primarily through the NCAA's media contract for the postseason basketball tournament, the 120 institutions in the Football Bowl Subdivision (FBS) also receive distributions from their conferences' postseason football bowl media contracts. These include the lucrative Bowl Championship Series (BCS) contract, whose financial proceeds flow primarily to six major conferences.

We recommend that these financial rewards no longer be based so heavily on winning, but instead on maintaining the right balance between athletics and academics.

To preserve the integrity of the revenue distribution system, the NCAA and athletic conferences should change their allocation formulas as follows:

1. **Change revenue distribution formulas to prioritize educational values over winning.**

   a. **Reduce the funding provided for winning and link new funding to academic success.** The current NCAA revenue distribution formula rewards men's basketball teams on the basis of both appearances and wins in the NCAA men's basketball postseason tournaments. The allocation vehicle for these revenues, known as the Men's Basketball Fund, distributed $167 million in 2010.

   The Commission recommends that the allocation to this fund be substantially reduced. Specifically, the current percentage of shared revenues provided in the Fund for tournament success should be cut at least by half (from 40 percent to 20 percent) and savings should be reallocated to the new Academic-Athletics Balance Fund described below. This revision would ensure that at least 80 percent of the shared revenues will be allocated based on educational values rather than on wins.

   b. **Reallocate some postseason football revenues on the basis of academic values.** Currently, revenues for FBS postseason football activities and media contracts are controlled by the participating conferences, not the NCAA. Consistent with the principles in this report, we believe a portion of the revenues from these activities and contracts should be allocated to restoring an appropriate balance between investments in athletics and academics. Thus, as a starting point, we recommend that at least 20 percent of the overall funds available for annual conference distributions from the BCS be allocated equitably to each FBS conference and designated as the Academic-Athletics Balance Fund. The conferences then would take this allocation and distribute the funds to its members according to the criteria specified for the Academic-Athletics Balance Fund discussed below.

2. **Academic-Athletics Balance Fund.** The Commission recommends that the NCAA and individual FBS conferences establish a new stream of revenue allocation through the actions described in 1(a) and (b) above. All Division I institutions would be eligible for this revenue if they met the following two conditions:

   a. **All teams must maintain an average APR that predicts at least a 50 percent graduation rate** as measured by the NCAA's own graduation rate metric; and

   b. **Each institution must demonstrate an appropriate balance** between institutional investments in athletics and education. The Commission recommends that the NCAA Board of Directors develop criteria to monitor this balance, drawing upon the metrics recommended in this report. For example, one requirement might be that the growth rate in the athletics budget measured on a per-athlete basis over a five-year period must not exceed the growth rate in educational spending on a per-student basis over the same period.

Note: The NCAA's Academic-Athletics Balance Fund would be distributed to all Division I members. The allocation to conferences from BCS funding would be distributed only to FBS members (or directly from BCS administration if they are not affiliated with a conference).

If the Commission's recommendation is adopted, these tournament slots, and the financial rewards that accompany them, will be reserved for teams that meet legitimate academic standards.

III TREATING COLLEGE ATHLETES AS STUDENTS FIRST AND FOREMOST—NOT AS PROFESSIONALS

The following recommendations are focused on treating college athletes as students first and foremost through budgeting, policies, expectations, and in the staffing devoted to their athletic development. While these recommendations aim to restore academic values, there are significant cost considerations in each of these areas as well.

Some high-profile college programs, particularly in football and basketball, have evolved into elaborate operations that rival professional sports teams in the numbers of coaching and support personnel as well as compensation for those staff. Expectations and time demands on college athletes have risen alongside these investments in their athletic development. Additionally, as financial pressures mount to cover these increasing costs, institutions face increasing tensions over the commercial interest in using college athletes for commercial gain. Our objective is to ensure that pursuit of revenues does not infringe upon athletes' rights and their academic obligations. We also wish to identify areas where significant action is needed to curb escalating costs resulting from spending on infrastructure and on staffing levels that approach those of professional sports teams.

A. Ensuring that athletes are students first by limiting intrusions on academic responsibilities and limiting commercial activities

1. **Structure all postseason competitions to benefit and protect student-athletes.** The NCAA principle governing postseason competition must be followed to ensure that the benefits from competing are provided to all participants, that "unjustified intrusion on the time student-athletes devote to their academic programs" is prevented, and that student-athletes are protected "from exploitation by professional and commercial enterprises."

   Given the NCAA's stated principle, we note our disappointment that the current football postseason structure has been extended so that games now occur well into the second term, especially in institutions that operate on the quarter system, and thus create conflicts with academic obligations.

   We recommend that all post-season competition for football end by a set date very early in January, before the beginning of winter term or quarter classes.

2. **Reduce length of seasons and number of events.** Ever-lengthening sports seasons have a corrosive effect on student-athletes' ability to focus on academics and also drive up costs substantially. Yet the pressure to extend the competitive season continues unabated. We believe the length of seasons must be curtailed, both by reducing the number of regular season games or competitions and by eliminating or reducing nontraditional seasons, such as fall baseball. We note that the majority of presidents supported these concepts in the 2009 Knight Commission presidential survey, as did the Division I-A Athletic Directors Association.

3. **Prevent use of athletes' identities to promote commercial entities or products.** As amateurs, college athletes cannot benefit financially from the commercial use of their names or images. NCAA rules should not allow commercial sponsors or other third parties to use symbols of the athletes' identities for financial gain or to promote commercial entities.

Our objective is to ensure that pursuit of revenues does not infringe upon athletes' rights and their academic obligations.

B. Curbing the trends toward professionalization of athletics staffing devoted to athletic development. As noted earlier in this report, growth in athletics spending is outpacing growth in academic spending at many universities. Key contributors to the growth imbalance have been rising coaches' compensation and growth in the number of non-coaching support personnel positions, particularly in football and basketball.

1. **Enforce current coaching limitations**. Over the past decade, some positions have been added in ways that circumvent regulations intended to limit the number of coaches at each university. We recommend that the NCAA strongly enforce regulations forbidding non-coaching personnel from performing coaching duties.

2. **Establish new rules on the number of non-coaching personnel.** The NCAA should limit the number of staff members assigned to a particular sport whose duties do not involve either academic support or health and safety, such as "directors of sport operations" and video personnel. The majority of presidents in the 2009 Knight Commission presidential survey supported creating policies to address this problem.

3. **Coaches' compensation.** In the 2009 Knight Commission presidential survey of college presidents, campus leaders called escalating coaches' salaries the single largest contributing factor to the unsustainable growth of athletics expenditures.

Because of federal antitrust laws, including rulings directly involving the NCAA and member institutions, the NCAA cannot create caps on coaches' salaries, and colleges cannot act together to restrain those salaries. The Commission examined whether compensation for football and basketball coaches should be addressed by seeking a change in the federal antitrust laws.

The NCAA should limit the number of staff members assigned to a particular sport whose duties do not involve either academic support or health and safety.

We concluded that securing such an exemption from the antitrust laws for any reason is a complicated, time-consuming, and expensive endeavor that is by no means assured of success. The Commission thus recommends that an exemption not be sought, at least at this time, and instead that the higher education community focus on developing and implementing the transparency and accountability systems and the financial incentives and structures that we are recommending. Reform of collegiate athletics financing can and must be more immediate and comprehensive than any reform provided through a limited and specific exemption secured through the legislative process.

However, the Commission does reiterate two simple principles from its prior reports that will provide for more effective accountability with regard to compensation of all athletics department staff members.

a. **Colleges and universities should consider coaches' compensation** in the context of the academic institutions that employ them. Their compensation should reflect the values of the amateur athletics programs that they oversee, not the values of professional sports teams whose major objectives are winning championships and earning profits.

b. **Institutions should not permit athletics staff members** (including, but not limited to, coaches) to have separate contracts with companies that reward staff members financially for requiring team members to wear or use specific equipment, apparel, or shoes that display the company logo or brand. Associating a corporate brand with university trademarks, on uniforms, through apparel that college athletes are required to wear, should be done through contracts between the university and the company and not through contracts with individual staff members (including coaches).

C. Examining scholarship offerings to assess whether costs can be reduced without eliminating equitable participation opportunities for men and women

The last comprehensive examination of the appropriate number of scholarships that should be permitted in each sport was conducted by the NCAA nearly 30 years ago. The sports landscape has changed drastically since then. Additionally, more complete injury data exist to provide a more complete consideration of the actual number of players needed in relation to the playing opportunities available. The Commission encourages the NCAA Board of Directors to review these expenditures soon. As a starting point, the Commission reiterates its 2001 recommendation to reduce the total number of football scholarships at Football Bowl Subdivision schools. We believe a conservative reduction would be eight to 10 fewer scholarships from the current 85. Even with this reduction, football would still have a much higher ratio of scholarships to playing opportunities when compared with other sports. Such a reduction may require a change in the maximum number of scholarships for football programs that compete in the Football Championship Subdivision or in Division II.

CONCLUSION

It is time for colleges and universities to resist the never-ending pressure to increase spending on intercollegiate athletics. Even as this report goes to press, high-profile athletic conferences are expanding their memberships in an effort to boost television market share and revenues they hope will follow. Such changes will likely make it harder than ever for the vast majority of colleges to keep up with continued escalation in spending on coaches' salaries, facilities, and other trappings of athletic prestige.

The predictable result: increased subsidy of athletics programs at the cost of academic programs, higher mandatory athletics fees for all students at many institutions, and a reduction in sports offerings—including dropping of teams that are not generating revenues. Such outcomes are indefensible for an enterprise that exists for the benefit of student participants and should serve to strengthen the academic mission of the university.

We recognize the value of intercollegiate athletics, including "big-time" college sports, to student-athletes and to their universities. But to maintain the health of the system we have built over the past 150 years, we believe that a renewed commitment to sustained financial reform is necessary. The reforms outlined in this report provide a foundation upon which to build. We look forward to helping individual institutions, their conferences, and the NCAA make this commitment. Never before have the stakes been so high.

To maintain the health of the system we have built over the past 150 years, we believe that a renewed commitment to sustained financial reform is necessary.

ENDNOTES

1. Data Source for Figures 1 and 2: Figures 1 and 2 were produced by analysts with The Delta Project on Postsecondary Education Costs, Productivity, and Accountability using data from the following sources: *USA Today* NCAA athletics finance database using each institution's NCAA financial report for athletics revenues and expenses; NCES Integrated Postsecondary Education Data System (IPEDS) for full cost of education spending per full-time equivalent student; Office of Postsecondary Education Equity in Athletics database for athlete participation counts only; participation data provided by two institutions independently because their data were not included or were reported incorrectly in the EADA database. Note: The data in these figures do not include data for 17 private universities that are members of the Football Bowl Subdivision. Also excluded are data for the three military academies and the three state universities in Pennsylvania that are not subject to Freedom of Information Act requests for financial data.

2. All figures reflect current dollars.

3. The Knight Commission consulted with antitrust counsel from the law firm of Skadden, Arps, Slate, Meagher & Flom regarding the recommendations set forth in this report. Counsel advised that these recommendations, which are designed to promote amateurism and to preserve a balance between expenditures on athletics programs and the core educational goals of all universities, are consistent with antitrust principles.

4. Individuals are encouraged to cite this report and its multimedia content at restoringbalance.knightcommission.org. In doing so, please include the following attribution: *Knight Commission on Intercollegiate Athletics. (2010, June). Restoring the balance: Dollars, values, and the future of college sports. Miami, FL: John S. and James L. Knight Foundation.*

ACKNOWLEDGMENTS

The Knight Commission acknowledges the many individuals and organizations whose contributions of time, talent, and experience made this report possible.

Since the Commission reconvened in fall 2003, numerous experts, leaders in higher education and college sports as well as college athletes have informed the Commission's work. A complete list of these individuals can be found in the online report restoringbalance.knightcommission.org.

The Commission is grateful to 95 presidents who contributed their time and opinions to the presidential survey conducted in fall 2009. Their thoughtful responses and concerns contributed significantly to the framework of this report.

The Commission owes deep gratitude to its founding co-chairmen, William Friday and Theodore Hesburgh, whose leadership and integrity continue to inspire all who are committed to our nation's goals of achieving excellence in higher education. The Commission is also grateful to the leaders who have guided the group's efforts over the past five years – the late Thomas K. Hearn Jr., Clifton Wharton Jr., and the current co-chairmen, William E. "Brit" Kirwan and R. Gerald Turner.

Knight Commission Executive Director Amy Perko and Communications and Research Associate Scott Hirko were assisted by consultants Jeffrey Orleans and David Welch Suggs Jr. in providing primary support to the Commission as it worked to develop this report. This team also contributed to the drafting and editing of the print and multimedia reports. Dennis Kramer II provided research assistance and Ted Leland provided advice during the project. Ben Wildavsky was the primary author of the report, and was aided by Rodney Ferguson of Lipman Hearne. The report was designed by Widmeyer Communications. Katie Reardon and Stacey Finkel also with Widmeyer Communications coordinated the communications efforts.

The Knight Commission would like to thank the NCAA research staff, particularly Nicole Brachen and Todd Petr, for providing revenue and expense data gathered from institutional reports and grouped by decile. The Commission also thanks *USA Today* staff for providing athletics revenue and expense data collected from financial reports.

Colleen Lenihan and Jane Wellman of The Delta Project for Postsecondary Education Costs, Productivity, and Accountability conducted data integration and analysis for the academic and athletics spending data for each Football Bowl Subdivision (FBS) institution and for each FBS conference. Andrew Zimbalist, the Robert A. Wood Professor of Economics at Smith College, produced projections for 2015 and 2020 spending, and provided advice and analysis on various data examined during this study.

The Commission thanks the John S. and James L. Knight Foundation staff that has provided assistance and support for Commission activities over the years. The Commission expresses special thanks to Knight Foundation President and CEO Alberto Ibargüen, an ex-officio member of the Commission, and to Paula Ellis, Vice President for Strategic Initiatives, for their leadership.

Fiscal discipline in athletics programs must be a top priority for the NCAA, for individual conferences, and for colleges and universities themselves. At every level of oversight of college sports, financial policies should aim to strengthen each institution's broader educational mission; to preserve and promote college athletes' educational and athletic opportunities; and to strengthen the capacity of colleges and universities to offer extensive and equitable participation opportunities for men and women.

For additional content and video, see the multimedia version of this report at
restoringbalance.knightcommission.org

Knight Commission
On Intercollegiate Athletics

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KNIGHT COMMISSION CALLS FOR COLLEGE SPORTS REFORM, RECOMMENDS PUBLIC TRANSPARENCY OF FINANCES AND NEW FINANCIAL INCENTIVES

"Restoring the Balance: Dollars, Values, and the Future of College Sports" Reveals Huge Disparities between Spending on Athletics and Academics

WASHINGTON-(June 17, 2010) -- Following an 18- month study of college sports finances, the Knight Commission on Intercollegiate Athletics released today a report that calls for financial reforms in college sports. It includes three principles for reining in spending.

Restoring the Balance: Dollars, Values, and the Future of College Sports also finds that expenditures in big-time college sports grew 38 percent – nearly twice as much as spending on academics – from 2005 to 2008. The ten public institutions that spend the most on college sports are on pace to exceed $250 million annually in athletics expenses, on average, in 2020.

The report is particularly timely given the shifts in athletic conference affiliation that have dominated the news over the past weeks, which have been based at least in part on the desire to increase revenues to cover accelerating spending. This gives new urgency to the finding of a survey sponsored by the Knight Commission last year, in which a majority of university presidents agreed that current spending trends cannot be sustained and that leaders must work together to address escalating costs.

"There is every reason to believe that the current direction of big-time college sports is leading us to even greater imbalances in the fiscal priority for athletics over academics," said Knight Commission Co-Chairman William E. "Brit" Kirwan, chancellor, University System of Maryland. "In last year's survey, presidents asked for measures that could keep athletics spending in check and that would apply to all schools. These recommendations achieve those objectives. We now need presidents and their boards to support them."

The Knight Commission's blueprint for financial reform offers these three principles for reform:

1. Requiring that financial reports be public and transparent;
2. Rewarding institutions that make academic values a priority; and,
3. Treating athletes as students first and foremost—not as professionals.

- more -

The Commission recommends that the financial reports filed by each institution with the NCAA should be made public, and include an additional measure comparing spending in athletics and academics.

“Academic reform in intercollegiate athletics began in earnest when graduation rates were first shared publicly,” Kirwan said. “We believe the same will be true for financial reform when there is far greater transparency on athletic expenditures.

“These big-time sports budgets are beginning to have a significant impact on college students, and financial data ought to be transparent and readily available to students, parents, trustees and taxpayers who have a stake in the spending.”

A second recommendation involves rewarding practices that prioritize academic values. The Commission believes teams should not be able to compete for a championship if they have failed to reach core academic benchmarks. The Commission recommends that teams only be allowed to compete in postseason championships if they achieve an Academic Progress Rate (APR) that predicts at least a 50 percent graduation rate of athletes under the NCAA’s graduation measure.

“The Commission first advocated for a 50 percent graduation rate benchmark for postseason eligibility in 2001, and the NCAA has adopted policies that have moved toward that goal,” said Knight Commission Co-Chairman R. Gerald Turner, president, Southern Methodist University. “Now, it is time to finish the job. The Commission believes tournament slots, and the financial rewards that accompany them, should be reserved for teams that meet legitimate academic standards.”

U.S. Secretary of Education Arne Duncan released an official statement in support of the Knight Commission’s recommendation: “With this report, the Knight Commission has shown once again its steadfast commitment to protecting educational priorities and strengthening accountability in intercollegiate sports. I join the Knight Commission in calling for stronger eligibility standards for postseason play. Whatever the exact benchmark—I’ve proposed a 40 percent graduation rate cutoff that would increase to 50 percent—the NCAA needs to strengthen its use of the Academic Progress Rate (APR) index to protect the interests of student athletes and the integrity of their parent institutions in a more rigorous and timely fashion.”

The Commission also recommends that revenue distribution be more closely tied to the academic values. The report calls for the NCAA to create a new revenue distribution fund called the Academic-Athletics Balance Fund. All Division I institutions would be eligible if their teams have APR scores that predict at least a 50 percent graduation rate, and if they appropriately balance investments in athletics and education. The Commission recommends that this new fund be created by reallocating revenue currently awarded for success in the men’s basketball tournament.

Since Football Bowl Subdivision (FBS) institutions spend the most on athletics, a similar fund should be created for FBS members only, by redistributing Bowl Championship Series revenue. The Commission recommends that an equitable portion of bowl championship

revenue be provided to each FBS conference to administer using the same eligibility criteria.

“The growing emphasis on winning games and pursuing TV contracts feeds the spending escalation,” said Knight Commission member Carol Cartwright, president, Bowling Green State University. “To preserve the integrity of college sports, we can no longer base rewards so heavily on winning but instead on maintaining the right balance between athletics and academics. We urge our presidential colleagues on the NCAA Board of Directors to adopt this plan.”

A series of recommendations centered on treating athletes as students first and foremost also have financial implications, including:

- Limiting the length of the football postseason so it does not extend into the start of the second academic term,
- Reducing the length of seasons and number of events, and
- Preventing the use of athletes’ identities to promote commercial entities or products.

Former professional basketball player and Knight Commission member Len Elmore said, “Our objective is to ensure that pursuit of revenues to support intercollegiate athletics does not infringe upon athletes’ rights and their academic priorities.”

The Commission also recommends a number of cost-saving measures, including: examining scholarship offerings, such as a decrease of eight to 10 football scholarships in the Football Bowl Subdivision and limiting the number of non-coaching personnel.

Restoring the Balance is the third major report released by the Knight Commission in its 20-year history. To read the statements of support from higher education leaders and to learn more about the specific recommendations, access video clips, visit restoringbalance.knightcommission.org.

About the Knight Commission on Intercollegiate Athletics
The Knight Commission on Intercollegiate Athletics was formed by the John S. and James L. Knight Foundation in October 1989 in response to more than a decade of highly visible scandals in college sports. The goal of the Commission was to promote a reform agenda that emphasized academic values in a climate in which commercialization of college sports often overshadowed the underlying goals of higher education. More information about the Commission’s history including prior reports can be found at www.KnightCommission.org.

About the John S. and James L. Knight Foundation
The John S. and James L. Knight Foundation advances journalism in the digital age and invests in the vitality of communities where the Knight brothers owned newspapers. Knight Foundation focuses on projects that promote informed and engaged communities and lead to transformational change. For more, visit www.knightfoundation.org.

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Knight Commission
On Intercollegiate Athletics

Restoring the Balance: Dollars, Values, and the Future of College Sports

Editorials:

Regional Newspapers

1. The Salt Lake Tribune- Eye on the ball
2. The Gainesville Sun- Editorial: The core mission
3. Orlando Sentinel- Put academics first: Colleges must curb athletic spending and focus on academics
4. Tricity Herald – College athletic programs ought to share the wealth
5. Observer-Reporter.com (serving Pennsylvania counties)- Troubling reports on higher learning
6. The Detroit News- Editorial: Universities should heed commission's ideas for spending on athletics
7. Roanoke Times- Editorial: Prove the profitability of college sports

University Campus Newspapers

8. The Oracle Editorial Board, U. South Florida- Editorial: Suggestions good for NCAA
9. The Maneater of Mizzou University- Editorial: Should academics or athletics be the true face of Missouri

Selected editorials in bold are included below:

The Salt Lake Tribune- Eye on the ball
Orlando Sentinel- Put academics first: Colleges must curb athletic spending and focus on academics
The Oracle Editorial Board, U. South Florida- Editorial: Suggestions good for NCAA

The Salt Lake Tribune

Eye on the ball

Updated Jun 23, 2010 05:54PM

Amid all the well-justified excitement surrounding the University of Utah's invitation to join the Pac-10 athletic conference, there has been just a hint of danger. A new report highlights the threat: Academics sometimes suffers from big spending on ultra-competitive athletic programs.

We urge U. administrators to look closely at the Knight Commission on Intercollegiate Athletics report (www.knightcommission.org) and guard against the imbalance in priorities that some highly competitive athletic programs are causing elsewhere.

Association with some of the most prestigious universities in the country will undoubtedly bring unprecedented benefits to the U.: exposure that will open doors to academic and science networks that are closed to lesser-known schools, formal collaborations and informal partnerships with larger and better-funded universities, and more students who want to attend the U.

But building an athletic program that can compete with other members of the Pac-12 — the University of California at Los Angeles, University of Southern California and the others — will cost money. It's true the U.'s share of television revenue as a Pac-12 school will skyrocket, but so will the cost of athletics, to the point it could begin to starve academic programs. The Knight report quoted a USA Today analysis: "... just seven athletics programs generated enough revenue to finish in the black in each of the past five years."

The most startling statistics in the report are these:

"Median athletics spending at public institutions in major conferences rose nearly 38 percent from 2005 to 2008, while academic spending grew only 20 percent. The 10 public institutions spending the most on college sports are on pace to spend more than $250 million annually, on average, in 2020. Median athletics spending per athlete ranges from 4 to nearly 11 times more than the academic spending per student in the big conferences

Already, there are discrepancies at the U. The salary paid to Kyle Whittingham, the U. football coach, more than triples the salary of U. President Michael Young.

The commission offered these reasonable suggestions: open financial reports to the public, including comparisons between athletics spending and academic spending; penalize schools where at least half the athletes don't graduate; require revenue from athletics be shared with academics and "minor sports," and treat athletes as students first.

As it moves into the big league, the U. must remember to keep its eye on the ball. Academics comes first.

Orlando Sentinel

Put academics first

June 22, 2010

Colleges must curb athletic spending and focus on academics.
Homeowners aren't alone in this sluggish economy when it comes to finding themselves financially upside down.

Between 2005 and 2008, schools in the NCAA's Football Bowl Subdivision, formerly known as Division I-A, increased spending on sports by an average of 38 percent, compared with a 20 percent jump in spending on academics.

Schools opened their wallets for sports — spending an average of $84,000 per athlete. Yet, they managed a comparatively measly $13,000 on other students.

That imbalance is evidence of a broken system, one that a new report from the Knight Commission on Intercollegiate Athletics insists must be repaired with bold financial reforms to check escalating athletic spending.

The findings are new, but not unexpected. Last year, most of the 95 presidents surveyed at schools with big-time football programs declared the current revenue and spending model for athletic programs unsustainable.

That "destabilizing influence" is the crux of "Restoring the Balance: Dollars, Values, and the Future of College Sports." The new report maps out a sensible, three-pronged blueprint that champions academics and better accountability for college athletics.

As the commission sees it, Division I schools should show the public the money — releasing more information about athletic revenues and expenses. That includes publishing reports that compare spending on academics and athletics.

Good. Greater fiscal transparency could spur reform by subjecting college athletics to the same scrutiny other departments face.

Another proposal would create an academic litmus test for participating in championships. The commission suggests reserving that privilege for teams on track to graduate at least half its players.

That's reasonable. Only teams meeting that modest benchmark should be rewarded with post-season play — and the accompanying revenue. Even still, 23 of the 65 schools that played in the men's 2009 NCAA basketball tournament wouldn't have met that standard.To remind schools that academics come first, the commission suggests the NCAA use money from

basketball and football post-season play to create a fund that distributes money to schools that excel in the classroom.

Lastly, the commission wants to focus on the "collegiate" in collegiate sports. It proposes shortening sports seasons and scheduling post-season games at times that don't interfere with athletes' academic obligations. And it proposes ending the practice of licensing players' likenesses to promote commercial products, particularly since amateur collegians are barred from getting a cut of the profits.

The report contains other fiscally smart proposals, such as reducing the number of noncoaching personnel and cutting scholarships at Football Bowl Subdivision schools.

These are necessary steps. Even among the 120 schools in the Football Bowl Subdivision — which rake millions from bowl games, TV deals and ticket sales — the NCAA reports nearly 80 percent of the major programs were bleeding an average of $9.9million in red ink in the 2007-08 school year, commission co-chairs noted in a December Washington Post op-ed column.

Consider that in the context of today's economy, where schools are reducing staff and programs and raising tuition and student fees — while pumping more dollars in sports.

The commission can't legislate these changes. However, by embracing the commission's reforms, the NCAA and the individual schools would take a step toward putting the accent on "student" in "student-athlete."

The **Oracle U. South Florida**

Editorial: Suggestions good for NCAA

Posted on 23 June 2010.

By The Oracle Editorial Board

Athletics hold a special place in the collegiate world. Heated competitions in football, basketball and other sports are often the causes behind exciting school rivalries.

Understandably, it's a fun way for alumni, students, fans and athletes to display their school pride.

A school's pride, however, should not be determined solely on the results of athletic competition, as universities are first and foremost academic institutions. Pride should be determined by a university's academic success as well.

After completing an 18-month study on finances in college sports, a report released last week by the Knights Commission — a group made up of university presidents and other leading minds aimed at emphasizing academic values in a commercialized athletic environment — recommended much-needed changes to NCAA operations that would greatly enhance the role of academics in sports.

The study found that from 2005 to 2008, spending on athletics at Division I-A schools rose 38 percent to $84,446 per athlete, while academic spending per student rose only 21 percent to $13,349.

"The NCAA and all of our institutions frequently speak about the importance of academics as an integral part of intercollegiate athletic programs," William E. Kirwan, co-chair of the commission and chancellor of the University System of Maryland, said to the Chronicle of Higher Education.

"When you really look at what's being proposed here, we're just saying, 'Let's live by that principle.' If we're going to generate more revenue, let's make certain that a significant fraction of that revenue is dedicated to rewarding high academic performance," he said.

The committee recommended the creation of an "Academic-Athletics Balance Fund," which would change how the Bowl Championship Series and NCAA distribute millions in basketball and football revenue each year.

A school would be eligible for the fund if it has a predicted graduation rate of at least 50 percent among athletes.

The report also called for universities to be more transparent about their spending on athletics.

Finally, proposed changes include limiting the football postseason so it doesn't interfere with spring semester and preventing the use of athletes' identities to promote commercial entities and products.

This year, USF's NCAA Academic Progress Rating (APR) — which measures a school's academic rating among athletes — in football is a 956 out of a possible 1,000, and men's basketball scored a 977.

The NCAA already penalizes schools that score below a 900.

Last year, USF football had the lowest APR among all BCS conference schools at 917, while the basketball team was third-to-last at 878 — a title that has been successfully shaken.

While USF has been able to improve academics among athletes, the Knight Commission propositions, if adopted by the NCAA, could help other schools reach the same goal.

Executive Summary of Recommended NCAA Division I Board of Directors Actions Regarding the NCAA Division I Football Academic Working Group's Final Report

Background.

In April 2010 the NCAA Division I Football Academic Working Group presented its final report to the NCAA Division I Board of Directors and received general support for the concepts. Since that time, members of the Football Academic Working Group, the NCAA Division I Academic Cabinet and the NCAA Division I Committee on Academic Performance have met jointly to discuss the report and to add clarity to some of the recommendations.

Legislative Action Items.

The Football Academic Working Group, the Committee on Academic Performance and the Academic Cabinet recommend that the Board sponsor a legislative proposal for the 2010-11 cycle as follows:

- **Fall Term Academic Requirement for Future Competition.** Football student-athletes who do not successfully complete nine semester credit hours or eight quarter hours and earn an NCAA Division I Academic Progress Rate (APR) eligibility point following either the fall semester or quarter, would be ineligible for participation in the first four games the following football season. However, if the student-athlete has successfully completed 27 semester credit hours or 40 quarter hours prior to the beginning of the following fall term, he would be ineligible for only the first two games of that season. Additionally, first year students would be allowed to use credit hours earned at the certifying institution during the summer before initial full-time enrollment and credit hours earned during the summer after the academic year to satisfy the 27/40 credit hours requirement, but not the nine hour requirement. *The effective date for this change would be August 1, 2011, and would impact certification of eligibility for fall 2012 and beyond.*

Nonlegislative Action Items.

The Football Academic Working Group, the Committee on Academic Performance and the Academic Cabinet recommend that the Board refer to the appropriate governance structure entity the issue of student-athlete time demands. The groups recommend continued study of student-athlete time demands and review of those activities countable during a 20-hour week and what sport-related activities occur outside the 20-hour timeframe. This review should include consideration of out-of-season activities as well. This may be best accomplished through the Board charging the appropriate governance structure entity or entities with this review and the development of recommendations for future consideration.

Informational Items.

1. **Two-Year College Transfer Requirements.** The groups support the efforts of the Academic Cabinet in its effort to develop enhanced academic requirements and/or an academic year in residence for two-year college transfers.

   These standards will more accurately reflect the academic preparation most likely to lead to completion of a four-year degree. It is anticipated the Board will review initial findings and recommendations from the cabinet on this topic during its October meeting.

2. **The Football Academic Working Group, the Committee on Academic Performance and the Academic Cabinet recommend the Board take no action at this time on the following:**

   a. **Exhausted Eligibility Departures.** Elimination of a waiver of the contemporaneous penalty for Football Bowl Subdivision student-athletes that are "0/2" after exhausting eligibility should not be acted on at this time. The group noted that the Committee on Academic Performance is currently reviewing the NCAA Division I Academic Performance Program penalty structure and this will allow the Board time to review this recommendation in broader context.

   b. **Head Coaches' APR Portfolio.** In addition to attributing APRs of football student-athletes to the head coach, the rates also could be attributed to the institution's chief executive officer and director of athletics. The groups support continued review of this item over time so as to provide additional time for evaluation and implementation of the coaches' rate.

Basketball Academic Enhancement Group's Recommendation-- Summer Retention Plan For Men's Basketball

<u>ACTION ITEM</u>: It is requested the Board of Directors vote to sponsor the attached draft legislative proposal (as described as well in the bolded text of subparagraphs a.-f. below) for consideration by the Division I membership in the 2010-11 legislative cycle. The additional unbolded excerpts from the Basketball Academic Enhancement Group's (BAEG) August 2009 final report are included below in order to provide context to the BEAG recommendation.

The BAEG Study.

In April 2007, the NCAA Division I Board of Directors approved the formation of an NCAA Division I Men's Basketball Academic Enhancement Group, a working group composed of presidents and chancellors, head coaches, commissioners, directors of athletics and faculty athletics representatives, which was established to develop a set of strategies to enhance academic performance and graduation rates in NCAA Division I men's basketball. Graduation rates in the sport of men's basketball are among the lowest in Division I. Overall, data reviewed reflects that men's basketball student-athletes are less prepared academically than student-athletes who participate in other sports. It was essential, therefore, that NCAA constituent groups work together to evaluate the causes and develop meaningful strategies to improve academic performance. The success of a similar group in baseball and discussions involving head basketball coaches and representatives of several governance committees and NCAA staff at the 2007 Men's Final Four supported the Board's appointment of the Division I Men's Basketball Academic Enhancement Group as a meaningful step toward identifying solutions.

The group submitted its final report to the Board of Directors in August 2009. The following information concerning a summer retention model was referred by the Board to the Division I membership for further discussion with the understanding that appropriate legislative proposals would be sponsored in the 2010-11 legislative cycle. The following excerpts from the report, therefore, are resubmitted for review at the August 2010 Board meeting.

- **<u>Require a Formal Summer Retention-Focused Program to Support Academic, Athletic and Learning Skills Development</u>.**

  Background and Rationale. The group supported a summer academic preparation and college acclimatization model for designated men's basketball student-athletes that includes summer school attendance and learning- and athletics-skill development that involves the coaching staff. Data reviewed by the group clearly demonstrates that student-athletes who enroll in summer school, particularly early in their academic careers, tend to experience enhanced academic success during their collegiate enrollment. This finding holds for both academically at-risk and high achieving student-athletes.

Contributing to this recommendation was a survey of Division I men's basketball student-athletes attending summer school, which revealed that time spent voluntarily on athletically related activities while enrolled in summer school has been approximately 12-14 hours per week.

In proposing this model, the group is not only recognizing the importance of the accrued academic benefits of summer school attendance (e.g., faster progress toward a degree), but is also focusing on the fact that retention problems drive the low APR in men's basketball. One need look no farther than to the fact that approximately 40 percent of entering freshmen in the sport have left their initial institutions by the end of the second year to understand the significance of the retention issue. One of the core messages seen in the academic literature on retention of students is that 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.

Coaches report that prospective and enrolled student-athletes at all levels in Division I basketball are inundated by third parties who have unregulated direct contact and who push the young men to either commit early to a professional career or to seek a new institution to pursue perceived opportunities to better display athletic talents. Pressure is also applied to enrolled student-athletes to participate in summer training for a professional career in locations that have no connection to the institution or to academic development. Given the critical importance of the coach/player relationship, it is fair to consider that enhancing that relationship will also enhance the connection that a student-athlete feels toward the institution. It is also clear that student-athletes in this sport desire opportunities in the summer to enhance their athletics skills. The group, in proposing a model that provides opportunities for both academic and athletic improvement, is trying to achieve greater retention of student-athletes by providing the type of skills enhancement that is desired by the athletes and coupling that opportunity with academic requirements, learning skills training and an enhanced relationship with the coaching staff. For this plan to succeed, coaches, faculty and administrators will have to work together at the local level.

The recommended model proposes a structure that is designed to encourage greater academic commitment, while also providing an opportunity for coaches and student-athletes to interact and build the coach/player relationship. While many faculty members and administrators have been quick to criticize the perceived motives of coaches, the group believes coaches are key to offset the non-academic influences that now pervade the lives of student-athletes in this sport. It is anticipated that engaging in limited athletically related activities in a structured environment under the supervision of the coaching staff will not significantly impact competitive equity and should prove beneficial in establishing a stronger coach/player relationship. For this model to succeed, coaches will be expected to modify recruiting patterns during summer school and to effectively use this new opportunity to influence their student-athletes. Descriptions of summer athletic

development opportunities and summer school academic requirements are included below to assist in understanding the practical application of this model.

a. Summer School Bridge for Designated Men's Basketball Student-Athletes.

NCAA financial aid rules now permit institutions to provide athletics aid during the summer prior to initial full-time enrollment under conditions prescribed by NCAA Bylaw 15.2.8.1.4. Further, NCAA Bylaw 15.2.8 and its subsections, outline legislation related to summer financial aid for enrolled student-athletes.

The recommended model would require that each institution formally assess the academic preparedness of all incoming men's basketball student-athletes (including transfers) who have signed financial aid agreements for the ensuing regular academic year, using institutionally-defined criteria to identify those who need an academic head start to put the individual on a track to predict graduation within five years of initial enrollment. The data shows that student-athletes who undergo these early institutional assessments and receive the necessary additional academic support or attend additional summer school sessions are more likely to graduate within a five-year time frame. **These identified student-athletes shall be required to attend summer school in a summer bridge session prior to their initial year of regular enrollment at the certifying institution. Such incoming student-athletes shall be provided financial aid and must be enrolled in a minimum of six hours (and pass three for eligibility to compete in the first term) of acceptable degree credit in addition to receiving institutional learning skills education.**

[Note: Consistent with the provisions of Bylaw 14.4.3.4.4, required hours may include remedial courses, provided the courses are prerequisites for specific courses acceptable toward any degree program. Learning skills education includes assessments, focused training in areas of deficiency, seminars and other initiatives that help student-athletes "learn how to learn".]

For subsequent summers, men's basketball student-athletes shall be reevaluated using institutionally-defined criteria to determine those who should attend summer school to achieve graduation in a five-year period. Continuing student-athletes who are not on track to graduate in five years shall be strongly encouraged to attend summer school and shall be provided financial aid if they choose to do so. Enrolling in a minimum of six hours shall be required to receive financial aid and passing six hours of acceptable degree credits shall be required for eligibility in the fall term.

The group encouraged [but did not require] that institutions use a management system "The NCAA Facilitating Learning and Achieving Graduation Program" to identify those incoming men's basketball student-athletes who should be required to attend summer school and those continuing men's basketball student-athletes who should be strongly recommended to attend summer school. This is an example of a model that provides for a dynamic assessment of student-athletes (through the identification of factors and characteristics) who are at-risk of not graduating from the institution in five years.

The group also recommended that institutions document academic assessments in the event of future consideration of penalties or waiver requests involving the Committee on Academic Performance.

b. Exceptions for Summer School.

An exception should be available to institutions that do not offer summer courses to the general student body. However, such institutions would not be able to take advantage of the summer athletic development component described later. **Further, institutions that offer summer courses, but that do not offer any athletically related financial aid (e.g., award only need-based aid) would have two options.**

The first option would be to use the previously noted exception applicable to institutions that do not offer summer courses to the general student body. Institutions electing to use this option would not be required to award summer financial aid, but its men's basketball student-athletes would be prohibited from participation in summer athletics development.

A second option would be available for those institutions that wish to participate in the summer athletics development. Those institutions would be subject to the summer-aid requirement for those recruited student-athletes who are required, using institutionally-defined criteria, to attend summer school. The summer athletics development provisions of this model would be applicable to those student-athletes enrolled in the requisite minimum number of hours of acceptable degree credit and who are receiving nonathletically related financial assistance or covering their own cost of summer school.

c. Learning Skills Assessments and Education.

Institutions would be required to provide incoming men's basketball student-athletes learning skills assessments and education. The purpose of this educational program is to address several key learning objectives that would help a student "learn

how to learn". The program could start with an educational assessment that would identify a student-athlete's strengths, weaknesses, attitudes, and beliefs associated with learning. This assessment could also capture information regarding personal, medical, financial or family concerns that can compromise a student-athlete's ability to perform well academically and athletically. Institutions could work with their campus community to identify the best assessment tool to capture this information. Upon the completion of an educational assessment, institutions could establish educational activities that address motivation, attention, concentration, memory, procrastination, anxiety, stress, time management, note taking and test taking skills and learning strategies. These activities can be structured in the form of a course, seminar, individual sessions, or small group activities, and could be organized in a manner to assist coaches and academic support personnel in developing individual academic support plans that will assist the student-athletes in their transition to college and focus on career planning and "life after basketball" skills. Such education would be encouraged in future years as deemed necessary.

d. Summer Athletic Development-Retention Model.

Under current legislation, coaches and student-athletes are limited in the amount of time spent on athletics activities and the nature of those activities during the regular academic year and institutional vacation periods, including the summer. While student-athletes continue to participate in unorganized basketball activities in the summer (data indicates 12-14 hours), they may not do so with a coach present.

The recommended model permits summer athletics development based on the view that this provides an opportunity for student-athletes and coaches to work together to improve aspects of the student-athletes' individual athletics skill in a more personal structure while also building a more intimate coach/player relationship and on emotional attachment to the institution. The focus on athletics development addresses concerns from the men's basketball community that increased access to student-athletes during the summer would be beneficial, but also continues to prevent full-team practice on a year-round basis.

The proposed model would permit institutions to designate an eight-week period during which incoming or continuing men's basketball student-athletes enrolled in and attending summer school would be allowed to participate in a maximum of eight hours per week in strength and conditioning activities, including two hours of that time in skill instruction conducted and supervised by the coaching staff. This length of time is consistent with current legislation governing athletics activities outside the playing season during the academic year. Based on current legislation, it appears eight hours per week is a reasonable balance between the academic and athletic needs of student-athletes in the summer while not imposing an

undue burden on time. Similarly, while cognizant of time demands issues that also exist during the summer, this proposed model recognizes that the structured athletics training will simply replace a portion of the 12-14 hours student-athletics already spend on their own in the gym.

For comparison purposes, the identification of an eight-week period presents a consistent length of time as provided for in the football summer conditioning period. The remaining time outside the eight-week period should be designated as student-athlete discretionary time as outlined in existing legislation in which a student-athlete can only participate in athletics activities at his discretion.

[Note: Summer athletic development would be available to any entering or continuing men's basketball student-athlete who is enrolled in a minimum six hours of summer school, regardless of whether the student-athlete is required to attend such sessions.]

e. First-Term Eligibility Requirements.

The group determined that for those attending summer school and engaging in athletics development activities, a minimum number of summer school credits should be required for eligibility in the first academic term in the fall to ensure that incoming and continuing men's basketball student-athletes are making a meaningful academic commitment. **A credit-hour requirement would be established such that incoming men's basketball student-athletes who are required to attend summer school must satisfactorily complete a minimum of three hours of academic credit during the summer as a prerequisite for eligibility in the first fall term. In subsequent summers, such men's basketball student-athletes who enroll in the summer term would be required to satisfactorily complete a minimum of six hours of academic credit as a prerequisite for eligibility in the ensuing fall term.** As noted, this requirement also applies to incoming and continuing men's basketball student-athletes who are not required to attend summer school, but who elect to do so in order to avail himself of the athletics development benefits. A student-athlete who is not eligible for competition in the fall, based on unsuccessful completion of appropriate academic credit during the summer, would be permitted to regain eligibility at the conclusion of the fall term, provided he meets all other applicable progress-toward-degree regulations.

[Note: A nonqualifier must complete an academic year of residence before being eligible for competition; however, he would be eligible for summer financial aid and athletics summer development during the summer prior to initial full-time collegiate enrollment to aid in establishing a proper academic foundation and a tie to the institution.]

f. Status as a Student-Athlete.

Upon summer enrollment, incoming recruited men's basketball student-athletes, who have signed financial aid agreements for the ensuing regular academic year, would be considered "student-athletes" under all NCAA legislation. Currently, under NCAA Bylaw 13.02.11.1, these individuals are not subject to contact regulations in Bylaw 13 and are considered student-athletes only for purposes of Bylaw 16. They are considered prospective student-athletes for the remainder of Bylaw 13 and all other bylaws.

Members of the Basketball Academic Enhancement Group.

Chair:
Dan Guerrero, director of athletics, University of California, Los Angeles

Other Members:
Cy Alexander, assistant men's basketball coach, Texas A&M University-Corpus Christi
Kevin Anderson, director of athletics, U.S. Military Academy (Army)
Britton Banowsky, commissioner, Conference USA
Gretchen Bataille, former president, University of North Texas
Percy Bates, faculty athletics representative, University of Michigan
Jim Boeheim, head men's basketball coach, Syracuse University
Pete Boone, director of athletics, University of Mississippi
Robert Bruininks, president, University of Minnesota, Twin-Cities
Jack Evans, faculty athletics representative, University of North Carolina, Chapel Hill
Greg Geoffroy, president, Iowa State University
Cary Groth, director of athletics, University of Nevada
Water Harrison, president, University of Hartford
Alan Hauser, faculty athletics representative, Appalachian State University
Paul Hewitt, head men's basketball coach, Georgia Institute of Technology
Ron Hunter, head men's basketball coach, Indiana University-Purdue University of Indianapolis
Kerry Kenny, former SAAC representative, Big 10 Conference
Phil Martelli, head men's basketball coach, Saint Joseph's University
Reggie Minton, deputy executive director, National Association of Basketball Coaches
Mario Moccia, director of athletics, Southern Illinois University at Carbondale
Jean Lenti Ponsetto, director of athletics, DePaul University

Lee Reed, director of athletics, Cleveland State University
Bo Ryan, head men's basketball coach, University of Wisconsin, Madison
Herb Sendek, head men's basketball coach, Arizona State University
Mike Slive, commissioner, Southeastern Conference
Gene Smith, director of athletics, Ohio State University
Jon Steinbrecher, commissioner, Mid-American Conference
John Watson, director of athletics, Pepperdine University
Steve Weber, president, San Diego State University
Debbie Yow, director of athletics, University of Maryland, College Park

ADDENDUM
SUPPLEMENT NO. 6
DI Board of Directors 8/10

Proposal Number:

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 who 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 -- Institution that Does 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 prospective 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 all the 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, 2011

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 (Academic and/or Athletics): Minimal as compared to the current model.

Proposal Number: 2010-

Title: **NCAA MEMBERSHIP -- ACTIVE MEMBERSHIP -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- CONCUSSION MANAGEMENT PLAN**

Intent: To require, as a condition and obligation of NCAA membership, that an institution have a concussion management plan on file, as specified.

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 Concussion Management Plan. An active member institution shall have a concussion management plan for its student-athletes. The plan shall include, but is not limited to, the following:

(a) An annual process that ensures student-athletes are educated about the signs and symptoms of concussions. Student-athletes must acknowledge that they have received information about the signs and symptoms of concussions and that they have a responsibility to report concussion related injuries and illnesses to a medical staff member;

(b) A process that ensures a student-athlete who exhibits signs, symptoms or behaviors consistent with a concussion shall be removed from athletics activities (e.g., competition, practice, conditioning sessions) and evaluated by a medical staff member (e.g., sports medicine staff, team physician) with experience in the evaluation and management of concussions;

(c) A policy that precludes a student-athlete diagnosed with a concussion from returning to athletic activity (e.g., competition, practice, conditioning sessions) for at least the remainder of that calendar day; and

(d) A policy that requires medical clearance for a student-athlete diagnosed with a concussion to return to athletics activity (e.g., competition, practice, conditioning sessions) as determined by a physician (e.g., team physician) or the physician's designee.

3.2.4.17.1 Effect of Violation. A violation of Constitution 3.2.4.17 shall be considered an institutional violation per Constitution 2.8.1; however, the violation shall not affect the student-athlete's eligibility.

Source: NCAA Division I Board of Directors (NCAA Executive Committee).

Effective Date: Immediate

Proposal Category: Amendment

Topical Area: NCAA Membership

Rationale: This proposal outlines a consistent Association-wide approach to concussion management as recommended by the Executive Committee. This proposal demonstrates the NCAA's continued commitment to the prevention, identification, evaluation and management of concussions. The development of a concussion management plan at the institutional level that includes the protocol under the direction of a physician for responding to possible concussions is in the best interest of student-athlete well-being and can lessen the chances of further harm to a student-athlete's health. Further, a concussion management plan, in addition to the institution's sports medicine policies for the care of its student-athletes will assist with the continued evaluation and care for student-athletes who suffer concussions. Determination of appropriate care and treatment of a student-athlete's injuries and illness are best handled through an institutional medical model that has physician oversight and direction. This model should focus on appropriate access to healthcare providers with the unchallengeable authority to determine management and return to play following a concussion. Lastly, requiring each institution to engage student-athletes in understanding their risks and acknowledge that they understand these risks, as well as their responsibility for reporting their injuries and illnesses, including signs and symptoms of concussions, will help to ensure that student-athletes are keenly aware of the potential harmful effects of concussions on their health.

Estimated Budget Impact: Minimal.

Impact on S-A's Time (Academic and/or Athletics): Minimal.

NCAA Division I Board of Directors Resolution – Discussion Document

At its April meeting, the NCAA Division I Board of Directors reviewed a resolution requesting that the NCAA Division I Legislative Council develop a draft of a policy statement that the Board of Directors and Legislative Council might adopt that would provide better guidance regarding consideration of proposed NCAA legislation by applying a metric to identify those legislative proposals to defeat or consider, and those proposals to call to the attention of the Board. The objective of this policy statement would be: (1) To limit the number of legislative proposals approved to those that identify and document a clear national problem that needs to be addressed; and (2) To identify those proposals that might appropriately be considered directly by the Board.

In an effort to facilitate the resolution's objectives, the staff has prepared an educational document to assist the Board in understanding the dynamics of the current legislative cycle (Attachment A) and has identified several concepts relating to the legislative process to be discussed with the Legislative Council at its October meeting (Attachment B).

Dynamics of the Current Division I Legislative Cycle
(Based on the 2009-10 Legislative Calendar)

Event	Timeline	Comments
Legislation submission deadline for NCAA Division I conferences and cabinets.	July 15, 2009	NCAA staff prepares legislation for the 2009 NCAA Division I Publication of Proposed Legislation. The staff consults with sponsors and cabinet liaisons to clarify intent/rationale statements. The staff begins to identify and resolve interpretive issues related to the application of the proposals and develop a Q&A document to assist conferences in understanding the application of the proposals as well as reaching their voting positions.
Deadline by which NCAA Division I Publication of Proposed Legislation is available on the NCAA Web site.	August 15, 2009	The staff continues to review all proposals to identify and resolve interpretive issues and develop a Q&A document to assist conferences /cabinets in the review process.
Applicable proposals forwarded to Division I cabinets/committees for review and comment.	August 15, 2009	The staff develops a "proposal review document" as well as points to consider to assist cabinet/committee liaisons in tracking proposals and to facilitate discussion.
Cabinet/committee review and development of positions on applicable proposals.	September 2009	The cabinet/committee (including sport committees) positions and rationale are included in cabinet reports and with each proposal.
Sponsor modification/alternative proposal period.	July 15 through October 27, 2009	The staff coordinates modifications suggested by conferences and drafts alternative proposals in advance of the October NCAA Division I Legislative Council meeting; staff also drafts alternatives sponsored by the Legislative Council at its October meeting for inclusion in the 2010 NCAA Division I Official Notice. Alternative proposals must be germane to the original proposal but may increase or decrease the scope of the original proposal.

Event	Timeline	Comments
NCAA Division I Legislative Council meeting.	October 19-20, 2009	The Legislative Council engages in a thorough review of the merits of all proposals in the current legislative cycle. The Legislative Council receives an overview of the intent of each proposal, points to consider as developed by the staff, access to the cabinet positions and the Q & A document related to the application of the proposals. The Legislative Council considers several factors during its initial review of legislation, including, but not limited to, the national significance of the proposal, cost implications, its impact on student-athlete time and well-being and whether there are more effective means to accomplish the proposal's intent. The Legislative Council develops preliminary positions on proposals that it plans to recommend for adoption, defeat or to be forwarded to the Division I membership for additional comment at its January voting meeting. This provides conferences over two months to consider the Council's positions and to offer additional information at the January meeting (through its conference representative) for consideration.
NCAA Division I Board of Directors meeting. Deadline for Board sponsored proposals.	October 29, 2009	The staff drafts any proposals sponsored or placed into the legislative cycle by the Board of Directors for inclusion in the Official Notice. The staff also further develops the Q&A document.
Deadline by which the 2010 NCAA Division I Official Notice is available on the NCAA Web site.	November 15, 2009	Conferences have approximately two months to review all proposals, positions and comments that will be considered by the Legislative Council at its January voting meeting.

Event	Timeline	Comments
Legislative Council initial consideration of legislation.	January 14, 2010	Legislative proposals may be adopted (if supported by at least a two-thirds majority), may be defeated (less than 50 percent support) or forwarded to the membership for additional comment (majority support but less than two-thirds majority). The Legislative Council again receives points to consider as developed by the staff, access to the cabinet/committee positions and the Q & A document related to the application of the proposals.
Board of Directors meeting.	January 16, 2010	The staff works with chair and Division I governance staff to identify proposals to bring to the attention of the Board (e.g., proposals of national significance, proposals impacting the Association's core values, proposals related to Board initiatives). Legislative Council action is considered final at the conclusion of the next Board meeting, provided the Legislative Council's action is not amended or rescinded by the Board. The Board may accept, ratify, amend or defeat legislative actions taken by the Legislative Council. The Board also may restore a proposal defeated by the Legislative Council and forward it to the membership for additional comment or adopt it (or amend and forward to the membership or adopt it).

Event	Timeline	Comments
60-day override and comment/amendment periods.	January 17 through March 17, 2010	Proposals that were adopted by the Legislative Council, or adopted or defeated by the Board are subject to override requests. Proposals that receive the necessary override votes (30 votes/15 votes for NCAA Football Championship Subdivision only proposals) are reviewed by the Legislative Council and the Board of Directors at its next meeting. Proposals that receive 100 overrides are suspended immediately. If the legislative decision is not changed, the proposal is placed on the agenda for the next annual NCAA Convention. The membership may sponsor amendments to the proposals forwarded to the membership for comment, provided the scope of the original proposal is not increased.
Legislative Council final consideration of legislation.	April 19-20, 2010	Legislative proposals that receive a simple majority vote are adopted. Proposals not receiving a majority vote are defeated. The Legislative Council again receives points to consider as developed by the staff, access to the cabinet/committee positions and the Q&A document related to the application of the proposals. The Legislative Council also receives comments that were provided by the membership during the 60-day comment period.

Event	Timeline	Comments
Board of Directors meeting.	April 29, 2010	The staff works with chair and Division I governance staff to identify proposals to bring to the attention of the Board of Directors (e.g., proposals of national significance, proposals impacting the Association's core values, proposals related to Board initiatives). Legislative Council action is considered final at the conclusion of the next Board meeting, provided the Legislative Council's action is not amended or rescinded by the Board. The Board of Directors may accept, ratify, amend or defeat legislative actions taken by the Legislative Council. The Board also may resurrect a proposal defeated by the Legislative Council and adopt it [or amend and adopt it].
60-day override period.	April 30 through June 28, 2010	Proposals that were adopted by the Legislative Council, or adopted or defeated by the Board are subject to override requests. Proposals that receive the necessary override votes (30 votes/15 votes for Football Championship Subdivision only proposals) are reviewed by the Legislative Council and the Board of Directors at its next meeting. Proposals that receive 100 overrides are suspended immediately. If the legislative decision is not changed, the proposal is placed on the agenda for the next annual Convention.

The NCAA Division I Leadership Council will meet during the legislative cycle to comment on select proposals. Dates are subject to change. Any changes will be communicated through LSDB*i* and the NCAA Web site at ncaa.org.

Possible Changes to the Current Division I Legislative Process

1. **Require Division I conferences to submit legislative proposals/concepts to the appropriate cabinet /committee for consideration of sponsorship into the legislative cycle.**

   Currently, Division I conferences are permitted to sponsor legislation directly into the legislative cycle. Such authority actually was not contemplated when the Association approved a more federated governance structure through the adoption of a series of proposals voted on at 1996 and 1997 NCAA Conventions. Division I conferences were permitted to submit proposals for the 1997-98 legislative cycle simply because the newly formed cabinets needed a period of time to organize themselves prior to addressing issues germane to their respective duties/responsibilities. Conference proposals tend to reflect the desires of a smaller constituency group and are often not reflective of a national problem. Such proposals though can successfully make their way through the legislative process either through strong lobbying efforts by the conference representatives or minimal concern expressed by other conference representatives not directly impacted by the proposal, or a combination of both.

   The requirement that conferences work through the cabinets/committees to effectuate changes in the legislation is not designed to discourage conference discussion and/or the development of good legislative ideas. However, the cabinet/committees may be better suited to make the decision as to whether a conference recommendation should become a legislative proposal as they are composed of a more representative group of individuals and provide a more broad and diverse lens to assess the national significance of the issue and the merits of the proposed solution. The desired outcome of such a change is to create a process that results in a decrease in the volume of proposals, with an increase in those proposals that are more national in significance.

2. **Establish submission requirements that require multiple conferences to sponsor legislation, or in the alternative, establish restrictions on the number of proposals that any single conference may submit into the legislative process in a given year.**

   Currently, each Division I conference is permitted to annually submit legislative proposals by the July 15th submission deadline. Further, there are no limitations on the number of proposals that may be submitted by any one conference. This results in approximately 50-60 proposals submitted each year from Division I conferences. Several conferences submit over 10 proposals each year and on one occasion, a conference submitted 25 proposals. Many of these proposals relate to issues [often perceived competitive equity concerns] impacting only members of the specific conference and do not reflect concerns that are necessarily national in significance. Although cabinets/committees do provide positions on conference proposals related to their respective areas of focus, the proposals are allowed to continue through the process. A requirement that multiple conferences are needed to sponsor a proposal will better ensure that the scope of the issue being addressed is not specific to one conference and impacts a broader range of institutions. The establishment of

limitations on the number of proposals that may be submitted by any one conference may require conferences to prioritize proposals so as to avoid the submission of proposals based on isolated circumstances or perceptions that may not be supported by appropriate data. The desired outcome of such a change is to create a process that results in a decrease in the volume of proposals, with an increase in those proposals that are more national in significance.

3. Establish principles/guidelines for the development and review of legislative proposals to share with conferences, cabinets/committees and the Legislative Council.

Currently, there are no uniform set of principles/guidelines used by conferences when determining whether to sponsor a legislative proposal. Some conferences likely have developed threshold requirements [e.g., majority support] that must be satisfied before a proposal is submitted into the legislative cycle; however, it is unknown whether conferences have developed criteria to be used in analyzing whether submission of a proposal is both prudent and necessary.

Cabinets/committees that review proposals for the purpose of taking a position regarding the merits do have access to a proposal's intent and rationale, budget impact and the time demands a proposal places on student-athletes. The cabinets/committees however have not necessarily used other criteria (e.g., national significance/core value of the Association, necessity of the legislation, impact on Board-related initiative) in their discussions when determining whether to support or oppose the proposal on its merits.

The Legislative Council in its preliminary review of proposals at its October meeting has access to the same information provided the cabinets/committees as well as the cabinet's/committee's position and also has information developed by the staff that outlines points to consider and interpretations related to the application of some of the proposals. The Council engages in a thorough discussion related to the merits of each proposal as it develops preliminary positions. However, it may be helpful if additional criteria (e.g., national significance/core value of the Association, necessity of the legislation, impact on a Board-related initiative) were identified and codified to ensure that the legislation is indeed necessary to address a national problem.

4. Increased use by the Legislative Council of its authority to identify and adopt noncontroversial (e.g., housekeeping) proposals at its October meeting.

Currently, the Legislative Council uses its authority to adopt noncontroversial legislation only when requested to take such action by a cabinet/committee, but does not use such authority to act on proposals that have been sponsored by conferences or cabinet/committees into the normal legislative cycle. During its October meeting, the Council develops preliminary positions on the proposals in the legislative cycle to be voted on at its January meeting. Many of those proposals are not of national significance and

often are "common sense" recommendations of a housekeeping nature. Disposing of those proposals at its October meeting could improve the efficiency of the process, reduce the volume of proposals to be voted on by the Legislative Council at its January meeting and allow the membership to focus more on proposals of national significance. The current threshold for adoption of noncontroversial legislation (three fourths of those present and voting) would be retained to eliminate concerns that conferences may attempt to "fast track" proposals to avoid the normal review process.

5. Increase the requisite number of requests necessary to override action taken by the Legislative Council and/or Board of Directors.

Current legislation requires only 30 institutions to submit an override request of action taken by the Legislative Council or Board of Directors to adopt legislation or action taken by the Board of Directors to defeat a legislative proposal in order for the legislative decision to be further reviewed. There are now approximately 345 Division I members, a significant increase in membership since the override legislation was adopted as part the change in the governance structure in 1997. It only makes sense that the threshold requirements also should be increased. Regardless of the increase in membership, the current requirement of 30 arguably is too low of a threshold as it only represents less than 10 percent of the membership. If a proposal has survived the scrutiny of the cabinet/committees, the Legislative Council and the Board of Directors, the requisite number of institutions necessary to achieve a successful override should be somewhat significant, perhaps as many as 100 (which is still less than 33 percent of the membership). Such an increase should provide incentives for institutions to pay closer attention to proposal during the legislative process and also provide for a more efficient process by eliminating the need for institutions to attend a Convention business session to vote on one or two proposals that often are not national in significance.

6. Provide the Board of Directors details on proposals identified as national in significance and proposals related to Board of Directors' initiatives earlier in the process; further, provide a written summary of such proposals to the Board for consideration at its January and April meetings.

Currently, the Legislative Council has the authority to adopt legislation, subject to review by the Board of Directors at its next meeting. This was a significant change in the governance process as previously the Board was required to take final action on all proposals. As part of the new process, the chair of the Legislative Council, in conjunction with the Legislative Council staff liaisons and the Division I governance staff, has identified proposals deemed to be of interest to the Board. The Legislative Council chair has provided a verbal report at both the January and April meetings of actions, emphasizing the identified proposals, and the Board has accepted the report on each occasion (or in some instances ratified a proposal). In an effort to better educate the Board on proposals that are national in significance or related to a Board initiative, it may be helpful to identify

and bring those proposals to the Board's attention earlier in the process shortly after the Legislative Council's October meeting, or in the alternative, after publication of the Official Notice. This will provide additional time for Board members to "get up to speed" on the proposals and related issues. Further, written summary of such proposals and the actions taken by the Legislative Council can be prepared to provide to the Board at its January and April meetings. The Board would not necessarily have to take action (as is the current process) but would have the information more readily available should it wish to do so.

REPORT OF THE NCAA DIVISION I COMMITTEE ON ACADEMIC PERFORMANCE JUNE 28-30, 2010, MEETING

***KEY ITEMS*.**

1. **Examination of the NCAA Division I Academic Performance Program (APP).** The NCAA Division I Committee on Academic Performance continued its comprehensive examination of the APP to determine the program's effectiveness in reaching the membership's goals of academic reform. This review will continue through the summer and fall and will include further discussions regarding the NCAA Division I Academic Progress Rate (APR) metric, APP benchmarks, penalty structures, filters and waiver directives.

2. **Joint Meeting with the NCAA Division I Academic Cabinet.** The committee conducted a portion of its meeting with the Academic Cabinet to review the initial-eligibility and two-year college transfer student-athlete standards, in order to formulate recommendations on these key issues. The two groups also discussed outstanding issues regarding the recommendations of the NCAA Division I Football Academic Working Group.

***ACTION ITEMS*.**

1. **Legislative Items.**

   - None.

2. **Nonlegislative Items.**

   - None.

***INFORMATIONAL ITEMS*.**

1. **Examination of the APP.** The committee continued its extensive review of the APP and its examination of the principles and goals tied to the program. The committee agreed in principle to a set of goals and principles that guide the overall purpose of the APP; however, continued discussion will occur to ensure fairness to all institutions, regardless of mission, resources or any other relevant factors. In addition, the committee continued its examination of the relationship between the APR and actual graduation numbers. The committee continued to discuss possible avenues for using both the APR and graduation rates within the APP structure and options for incorporating graduation into the APR

metric. The committee raised a number of questions and issues that require further research and discussion as this examination continues throughout the summer and during the October meeting.

The committee examined the current APP penalty structure and discussed the effectiveness of APP penalties in meeting the goal of improved academic performance and progress toward graduation for student-athletes. Further, the group discussed possible changes to the penalty structure, which could include changes to the levels of and progression to penalties in addition to changes to the types of penalties levied on teams that are underperforming. The committee also continued a discussion regarding appropriate penalty benchmarks based on past changes to the APR calculation, as well as the improvement shown by teams. In addition to the review of the penalty structure and benchmarks, the committee continued its discussion on the appropriateness of each of the current filters in light of any possible adjustments to the penalty structure and benchmarks. The committee also discussed the possible inclusion of new filters to address other issues, such as graduation. These topics will be discussed again during the October meeting.

2. **Public Announcement of Penalties and Rewards and Related Public Relations Efforts.** The committee received a summary of the most recent public release of institutional APRs and APP penalties, which occurred June 9, 2010, and the Elite 88 awards for 2009-10, which was the inaugural year for these awards. As part of this discussion, the committee agreed to publish two lists for football for the public recognition awards effective with the 2009-10 APR data [i.e., one for Football Bowl Subdivision (FBS) and one for Football Championship Subdivision (FCS)]. This change will provide opportunity for each distinct subdivision's football teams to be honored for top academic performance. In addition, this action is in alignment with the NCAA Championships structure. Further, the committee requested the staff to further develop for its consideration at a future meeting a concept to recognize teams who have achieved high enough APRs to receive public recognition for a specified number of years and public recognition for coaches based on long-term team APR performance.

3. **NCAA Division I Football Academic Working Group Report.** In a joint meeting with the Academic Cabinet, the committee reviewed the Football Academic Working Group's final report with a focus on outstanding issues related to the recommendations contained within the working group's report. The two governance bodies support the concept of requiring all football student-athletes to complete nine hours and earn the APR eligibility point during the fall term in order to be eligible for all games of the subsequent season. Football student-athletes failing to meet this requirement would be ineligible for

participation in the first four contests in the following season. The groups also supported the option of reducing this penalty from the first four contests to two contests if the student-athlete earns 27 credit hours by the end of the summer session. Data demonstrate that football student-athletes who earn nine credit hours during the fall earn more APR points during their academic careers and are more likely to graduate and less likely to become an "0/2" student-athlete. Further, requiring 27 credit hours will position the student-athlete for graduation within four and a half years. This, in conjunction with other progress-toward-degree requirements, will ensure that football student-athletes are progressing toward a degree. The groups agreed that first-year student-athletes should be allowed to use credit hours earned at the certifying institution during the summer before initial full-time enrollment and credit hours earned during the summer after the regular academic year to satisfy the 27 credit-hour requirement, but not the nine credit-hour requirement.

To address institutions following quarter-based academic calendars, the committee and cabinet recommended that football student-athletes be required to earn eight quarter hours in the fall term and, for those that fail to satisfy this requirement, be required to earn 40 quarter hours prior to the subsequent fall term in order to reduce the contest penalty. Research indicated the eight quarter-hour requirement generally is equivalent to the nine semester-hour requirement. Further, the 27 semester credit-hour requirement was selected because it positions a student-athlete for graduation in four and a half years. Requiring a football student-athlete at an institution with a quarter-based academic calendar to earn 40 quarter credit hours will position that student-athlete to graduate in an approximately equivalent period of time.

The committee and cabinet did not favor the working group's recommendation to no longer exempt the aid of "0/2" student-athletes who have exhausted eligibility when calculating contemporaneous penalties for FBS teams. The committee and cabinet agreed to take no action at this time regarding the recommendation in light of the committee's continued review of the APP, including the existing penalty structure, penalty-waiver filters and exceptions and cut scores. The two groups agreed that more time must be devoted to the study of time demands on football student-athletes and supported the Academic Cabinet in its effort to develop enhanced academic requirements for two-year college transfers that more accurately reflect the academic preparation most likely to lead to completion of a four-year degree.

4. Proposed Academic and Athletics Development Model for Women's Basketball. The committee reviewed the February 23, 2010, report of the NCAA Division I Women's Basketball Issues Committee and noted the following feedback for the group. The committee observed a noted difference between the women's basketball model and the one developed for men's basketball in that the proposal for women's basketball is

intended for all women's basketball student-athletes, rather than for only those identified as "at-risk." While the committee applauds the intent behind mandatory summer school attendance for all incoming freshman and transfer student-athletes who have signed athletically related financial aid agreements for the following academic year, it noted the financial burden this may place on institutions and potential timing issues for high schools that end in late June/early July and for international student-athletes. Additionally, the committee encouraged the Women's Basketball Issues Committee to consider the other concepts (e.g., definition of a prospective student-athlete) included in the NCAA Division I Men's Basketball Academic Enhancement Group's report to determine their relevance, if any, to women's basketball.

5. **Review of Academic Eligibility Standards for Prospective Student-Athletes.** In a joint meeting with the Academic Cabinet, the two groups discussed issues related to both initial-eligibility standards and two-year college transfer standards. The NCAA research staff provided information that showed the benefits and consequences of the different initial-eligibility standard models in terms of the number of prospective student-athletes that would not have been eligible during the first academic year. In its review of the two-year college transfer standards, the group supported the continued examination of a model that would allow for remediation of academically underprepared prospective student-athletes during the first year of enrollment at the two-year college with no athletics competition permitted. The model would allow a prospective student-athlete to opt into a three-year program that would provide a delay to the start of his or her progress-toward-degree timeline until after the year of remediation. The committee was also supportive of the Academic Cabinet's desire to examine possible changes to two-year college transfer regulations, which could include an increased grade-point average requirement, more specific course requirements and a possible shift away from separate requirements for qualifiers and nonqualifiers. The group noted that the research staff will provide more detailed information related to these possible changes to the Academic Cabinet for its fall meeting.

6. **Academic Data Collection for Two-Year College Transfer Student-Athletes.** The committee approved an extension of the two-year college transfer student-athlete data collection, which is submitted each fall as part of an institution's Academic Performance Census (APC), for two additional APR data cohorts (i.e., 2010-11 and 2011-12) with a reassessment at the end of that time. The two-year extension will provide additional data on the outcomes (e.g., graduation) of two-year college transfers in prior cohorts, which may provide additional insights on the profile of a successful two-year college transfer and to assist with informing future academic policy decisions. This data collection includes the sports of baseball, football and men's and women's basketball.

7. **Review of Occasion-Three Historical Penalty Waivers.** The staff provided a summary of the decisions made by the staff and the committee for Occasion-Three Historical Penalty waivers submitted by institutions during the 2009-10 academic year. The staff made decisions on eight of the 10 waivers submitted, while the committee conducted in-person hearings for two teams. The committee reviewed and discussed the decisions made in the hearings as well as the decisions made by the staff to ensure consistency among all decisions and adherence to the committee's philosophy and directive. The committee also discussed the timing of implementation of Occasion-Three Historical Penalties when a condition placed on an approval is not met and agreed to review the application of these penalties to ensure that the timing is appropriate.

8. **Occasion-Three and -Four Penalty Waivers and Appeals of Waivers.** The committee amended its policies and procedures to reduce the submission timeline for Occasion-Three and -Four Historical Penalty waivers from 21 calendar days to 14 calendar days and reduced the appeals timeline from 21 calendar days to seven calendar days, effective fall 2010. These modifications will simplify the waiver process and make all APP penalty waiver submission and appeal processes consistent, while reducing the amount of time institutions must spend in the penalty waiver phase of the APR process. The committee also provided the staff with the authority to grant extensions of these timelines for institutions requesting additional time to submit a wavier and/or appeal. These requests will be considered on a case-by-case basis and will take into consideration the mitigation presented by the institution for the extension. The committee noted that institutions are aware of team's penalties well in advance of these submission deadlines, generally providing ample time for preparing waiver requests.

9. **Policies and Procedures for APP Data Review Outcomes on Penalties.** The committee amended its policies and procedures to require institutions involved in an APP data review to be advanced to the appropriate level of penalty, if it has been determined that the corrected data would have subjected the team to a penalty or to a different level of penalty than it was previously subject to. In the past, there have been occasions when a team's corrected data positioned the team to be subject to APP penalties when the team was not previously subject to such penalties due to inaccurate APRs. This has created situations in which teams that should have received APP penalties have not received those penalties. This modification provides fairness to the process, while not adding on past penalties that would create an unintended burden on the team. The committee also directed the NCAA Division I Committee of Academic Performance Subcommittee on Appeals to develop a directive to provide guidance to the NCAA staff for the waiver process for institutions facing these circumstances.

10. Policies and Procedures for Institutions that Submit Unusable Data. The committee amended its policies and procedures to create a multistep process to address situations in which institutions submit unusable data either during the APP data submission or the data review process. The first step in the process will involve an on-campus visit by the staff to review the documentation used to certify academic eligibility and to provide the institution with training on best practices for eligibility certification and data submission. In the year following the on-campus visit, the institution will be placed in a probationary period, which may include:

a. Recurring checks between the staff and the institution's certifying officer;

b. Required attendance for institutional representatives at NCAA Regional Rules Seminars and/or participation in APP webinars;

c. Creation of an academic certification and data improvement plan for review by the staff and/or the NCAA Division I Committee on Academic Performance Subcommittee on Data Collection and Reporting;

d. Submission of midyear academic data;

e. Continued ineligibility for postseason competition for all teams;

f. Ineligibility for public recognition of any high-performing teams and NCAA Division I Academic Performance Program Supplemental Support Fund (SSF) monies; and

g. Any additional corrective measures as determined by the Subcommittee on Data Collection and Reporting.

After the one-year probationary period, the NCAA staff will conduct a follow-up visit at the institution to determine if the identified issues have been resolved or not. If it is clear that the institution continues to have systemic issues with eligibility certification and/or data submission, the institution will continue to be subject to the conditions imposed in the probationary year. In addition, institutional representatives, including the institution's president, must participate in a meeting with the full committee in order to explain the continuance of the systemic data issues and the issues uncovered throughout the process would be provided to the NCAA Division I Administration Cabinet for its review as it relates to the institution's active Division I membership status. These amended policies will allow the staff to work cooperatively with the institution earlier in the process to reconcile the APP data while also holding the institution responsible for originally submitting unusable data. It also provides the opportunity for the committee to call on

senior-level institutional representatives to explain why improvements in APP data procedures are not being made.

11. Data Submission and Penalty Application Requirements for an Institution Transitioning its Athletics Program or Team from Division I or Discontinuing a Division I Sport. The committee amended its policies and procedures to include the APP data submission and penalty application requirements for an institution that transitions its athletics program or team from Division I or that discontinues a sport at the Division I level. Within the last year, the staff has been notified of two institutions that intend to transition its athletics program from Division I to Division III. Each situation presented unique circumstances.

Under the new process, once the NCAA staff receives written notification from the institution of its intention to transition its athletics program or team from Division I or to discontinue a sport at the Division I level, the institution/team will no longer be responsible for submitting APP data beginning with the academic year the staff receives notice. In addition, the institution/team will no longer be subject to new APP penalties, but must impose previously earned penalties that apply to the academic years the team/institution continues to compete as a Division I institution/team. The institution/team also will be excluded from any public release of APR and associated penalties, Graduation Success Rate (GSR) and head coaches' information and from the calculation and/or determination of any penalty filters. Further, the institution/team will no longer be eligible for any SSF monies and the public recognition for high academic performance. In addition, the institution/team no longer will submit APR adjustment requests, APP penalty waivers or APR Improvement Plans.

The approved policies also detail the process for instances when a team transitioning from Division I received a conditionally approved APP penalty waiver; when an institution's transition to another division or athletics organization is a multiyear process, and instances when an institution rescinds its decision to transition from Division I. The application of these policies generally shall be effective beginning the academic year the staff receives written notice of the institution's intention to transition from Division I or to discontinue a sport; however, the staff will have flexibility in determining the effective date for each provision based on the timing of receipt of notice.

12. NCAA Division I GSR Data Collection. The Subcommittee on Data Collection and Reporting received a report on the GSR data collection process for submission of data for the 2003-04 cohort, which was due June 1. It was noted that all institutions submitted the requisite data by the prescribed due date and the membership experienced positive results

with the new data collection portal, which used data imported from the APP data collection system for the reporting cohort.

13. **APP Data Reviews**. The Subcommittee on Data Collection and Reporting received an update on the progress of the 62 institutions involved in APP data reviews for the 2010-11 academic year. Twenty-seven of the institutions selected are reviewing GSR data, 31 institutions are reviewing APC and APR data and four institutions are reviewing GSR, APC and APR data. It is anticipated that all data reviews will be completed in the fall.

14. **APP Data Submission Requirements Related to Proposed Division I Membership Requirements.** The Subcommittee on Data Collection and Reporting confirmed that institutions seeking Division I membership under the proposed membership requirements will be required to submit APP data starting from the year in which the institution will be required to be in full compliance with Division I legislation, which will be year one of the four-year process. Under current committee policies, institutions or teams that are multidivisional members, provisional members or in the process of reclassifying to Division I are subject to the APP beginning with the first year in the membership process during which the institution is required to be in compliance with Division I legislation. Also, this timeline will allow the collection of sufficient data to determine if any team is subject to historical penalties, which may be a factor in electing an institution to active Division I membership. In addition, the proposed Division I membership legislation will eliminate provisional and multidivisional membership for new institutions. As such, current provisional and multidivisional institutions will continue to submit APP data under the current timeline and as required for all active Division I institutions and institutions.

15. **Joint Committee on Academic Performance and NCAA Division I Committee on Athletics Certification Subgroup.** The committee received an update on the work of the subgroup, including a timeline for the completion of its work. The subgroup currently is comprised of three Committee on Academic Performance members and three members of the Committee on Athletics Certification. At this time, the staff is developing a draft framework for the subgroup to consider based on the identified focus and goals of the subgroup. The subgroup will conduct its work on scheduled teleconferences starting in July and continue through the fall. It is anticipated that a final report will be submitted to the Committee on Athletics Certification for its consideration in February 2011 and to the Committee on Academic Performance for its consideration in April 2011.

16. June 2010 Knight Commission Report on Intercollegiate Athletics. The committee reviewed the latest report from the Knight Commission on Intercollegiate Athletics, which called for financial and academic reforms in college sports and offered three principles for reform with several related recommendations. The committee noted that several of its initiatives already underway may address recommendations contained within the report.

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

Communications Strategies for Coaches

The National Association of Basketball Coaches (NABC) members have indicated a desire to more effectively participate in the governance processes that often result in rules or policies impacting their work. This document is intended to provide coaches with suggestions and best practices for enhancing communications at the campus, conference and national levels to help ensure that all voices are heard in the various governance processes. The following are tools and best practices for enhancing coaches' communications at all three levels.

Campus-level communications strategies.

1. On their own campuses, coaches can be most effective when working within the existing organizational structure to voice opinions regarding local, conference and national policies. This may include communication with compliance personnel, academic advisors, faculty athletic representatives, directors of athletics and/or chancellors or presidents. The following strategies may assist with these efforts:

    a. In some instances, a head coach will find it necessary to communicate with the institution's chancellor or president regarding issues of local, conference or national significance. Such discussions can be productive when conducted appropriately. For example, if a head coach reports to the director of athletics, the coach should communicate with the director of athletics first regarding these matters and then set up a meeting with the chancellor or president. The session with the chancellor or president may be most effective if the coach and director of athletics jointly share their perspectives.

    b. It may be less effective over time for coaches to speak to campus authorities about issues or concerns without first communicating with their direct supervisor (e.g., director of athletics). While solo communication with the institution chancellor or president can be beneficial, doing so without alerting the director of athletics is less effective.

    c. Topics that lend themselves to dialog with campus leaders include: financial and other resource matters, the academic success of student-athletes, and legislative or policy issues at the local, conference or national level. Academic topics may warrant dialog with the institution's faculty senate (or appropriately named campus faculty body). Periodic dialog between a head coach and this faculty body regarding the academic well-being of student-athletes can be useful in furthering the academic mission and goals of the institution and the coach.

    d. When meeting with the chancellor or president, faculty body or other campus leaders, it is helpful to determine in advance of the meeting, ideally with involvement from the director of athletics, the topics for discussion and goals of a particular meeting.

2. Coaches may want to communicate with compliance personnel when waivers are being filed on behalf of student-athletes on their team. Rather than relying entirely on others to pursue waiver options, coaches may want to review a draft of the waiver or seek to be included on a teleconference if that is part of the waiver process.

3. Similarly, coaches of teams that are academically underperforming should be engaged with academic advisors, faculty and other campus leaders in developing and implementing the institution's NCAA Division I Academic Progress Rate (APR) Improvement Plan. Such a plan may identify strategies in which the coach's role is critical to success.

Conference-level communications strategies.

Each conference has its own unique governance structure and coaches will be most effective by identifying the most appropriate strategies for their particular conference. The following concepts may not apply in all conference governance settings.

1. Individually or collectively as a group of conference coaches, work with the conference office to provide feedback on a specific piece of legislation (national or conference legislation). In the case of national legislation, request the conference office consider this input when communicating with various governance representatives prior to key voting meetings.

2. During conference meetings, request time with the chancellors or presidents and/or athletics administration leaders to share issues, concerns or positions on legislation or policy. Coaches may be most effective in these settings when:

    a. They speak with one voice on key issues. This may necessitate coaches meeting in advance to determine their collective viewpoint on a matter of importance.

    b. They use the time allotted on a few critical matters. Sometimes these sessions dissolve into a general disgruntled potpourri of voices on an assortment of topics. Coaches may find greater success in making change when they collectively focus their efforts on one or a few key issues.

    c. They choose a leader among their peers to speak on behalf of the group. While such discussions should include a variety of coaches speaking, establishing a leader to initially present and direct the coaches share perspective can be useful.

    d. They communicate in advance to conference office leaders. If coaches have identified one or more key issues for dialog at a conference meeting, coaches will

find greater success in moving their agenda when they work in advance with conference administrators to strategize and assist in their efforts. Conference administrators are experienced in understanding the intricacies of the legislative and governance processes within the conference and nationally. Working alongside these professionals will enhance the effectiveness of the coaches' voice in the governance process.

National-level communications strategies.

The NCAA Division I structure is a representative form of governance. Conferences hold various "seats" in appointed leadership bodies such as the NCAA Division I Board of Directors, NCAA Division I Leadership Council, NCAA Division I Legislative Council and cabinets. The following strategies may be helpful in ensuring that coaches have a voice on key national issues:

1. Empower the NABC Board to take a position on particular legislative proposals or concepts and provide such input to the national office staff liaisons of the various governance bodies prior to its meeting. The national office stands ready to assist in this process by:

    a. Identifying a few key issues in each legislative cycle that the NABC may have the most interest in.

    b. Facilitating the NABC's communication with particular cabinet or body with jurisdiction on the identified issues.

    c. Providing education and background to the NABC for distribution to help inform coaches and ultimately assist the NABC board in formulating a position.

    d. Providing perspective on key issues that are being addressed by the structure in a given year. The governance process cannot address all topics in any given legislative cycle. In a given year there are generally a few major themes that arise for consideration (e.g., academic standards, technology in recruiting). Working with the staff, the NABC can effectively use these windows of opportunity to solidify its voice on these issues at the time they are ripe for consideration.

2. Be solution oriented, identifying not only the problem or concern, but recommending possible solutions. There may be instances in which the NABC Board needs assistance in identifying solutions to a particular concern. The national office staff can assist in identifying possible solutions.

3. The national office staff can provide a mechanism for the NABC to annually meet with the Board of Directors and/or Leadership Council to exchange ideas and share concerns.

4. The national office staff can provide a mechanism for the NABC to periodically meet with each cabinet and other committee's in the structure as agenda topics invite coaches perspectives.

Other "best practices."

1. Coaches have considerable influence by virtue of their public personas. This influence can be diminished by a poor communication style or conversely enhanced by superior communications skills. Style and approach when communicating with other leaders in college athletics is critically important. For example, coaches communicating with other leaders at the local, regional or national level are most effective when embracing the NABC's "guardians of the game" six pillars of character which include respect, caring, and trustworthiness.

2. As influencers within the governance structure, a key role coaches can play is educating others regarding the environment, issues, and realities of college basketball. Using each communications opportunity to educate others and provide a coaches perspective is an important function and coincides with the NABC's "guardians of the game" framework.

3. The governance process, locally, regionally and nationally generally involves compromise. For example, a legislative proposal is rarely adopted as originally drafted. Through the governance process, edits and sometimes substantive changes are incorporated based on feedback and input for various parties. All involved in this symphony of governance benefit from understanding that, in most cases, this compromise is effective at balancing the needs and interest of intercollegiate athletics. No one set of voices in the process (e.g., chancellors or presidents, faculty, athletics administrators, coaches) has cornered the market on good ideas. Appreciating the value of all voices being heard is critical to success.

MINUTES OF THE
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
EXECUTIVE COMMITTEE

NCAA National Office
Indianapolis, Indiana

April 29, 2010

Participants:

Charles Bantz, Indiana Univ.-Purdue Univ. at Indianapolis
James Barker, Clemson University
Drew Bogner, Molloy College
Kathleen Brasfield, Angelo State University
Robert Bruininks, University of Minnesota
Mark Emmert, NCAA president-elect
Damon Evans, University of Georgia
Judy Genshaft, University of South Florida
James Harris, Widener University
Robert Kustra, Boise State University
Ann Millner, Weber State University
Kevin Mullen, Siena College
Lynn Oberbillig, Smith College
Harvey Perlman, University of Nebraska, Lincoln
Beverley Pitts, University of Indianapolis
Shirley Raines, University of Memphis
Edward Ray, Oregon State University, chair
Jim Isch, NCAA
Delise O'Meally, NCAA, recording secretary

James Bultman, Hope College; William Harvey, Hampton University; and John Peters, Northern Illinois University, were not able to participate.

Also in attendance were: 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; Tom Jernstedt, executive vice president; David Klossner, director of health and safety; Kevin Lennon, vice president of academic and membership affairs; Keith Martin, interim vice president of administration/chief financial officer; Wallace Renfro, vice president and senior advisor to the NCAA president; Greg Shaheen, senior vice president of basketball and business strategies; 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 Jackie Campbell, 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 1:20 p.m. by the chair, President Ray. All members were present as noted above.

1. Welcome and announcements. Ray welcomed Drew Bogner, president of Molloy College and incoming president of the Division II Presidents Council. He also thanked James Barker, Shirley Raines and Damon Evans, who were attending their last Executive Committee meeting.

2. Approval of January 16, 2010, meeting minutes.

   It was VOTED

   "To approve the Executive Committee minutes of the January 16, 2010, meeting as distributed."

3. NCAA Executive Committee Finance Committee report.

   a. Second quarter FY 2009-10 budget-to-actual. The Finance Committee reviewed the second quarter budget-to-actual statement and is satisfied that the Association is on target with its revenues and expenses. The Association has limited financial activity in the second quarter with the majority of revenues and expenditures occurring in the second half of the year related to championship activity and revenue distributions. Revenues received are 32 percent of the budget and are in line with the prior year. The Association's expenses are 16 percent of the total budget for the first quarter and are in line with the prior year.

   b. FY 2010-11 and FY 2011-12 Executive Committee Finance Committee recommendations. The Finance Committee met in March and reviewed the budget allocations for the next two years. In January, the committee reaffirmed an allocation of $1.0 million for Division I new initiatives and $1.0 million for the NCAA president's and Executive Committee new initiatives over the next two years.

(1) President's recommended criteria and FY 2010-11 budget allocations. In fiscal year 2010-11, there will be approximately a six percent increase in revenue with an eight percent increase in Division I revenue distributions, with an allocation increase to Divisions II and III of almost six percent. This aligns with the projected revenue increases. Most of the recommended increases are to maintain current championships, programs and services with less than two percent increase, and 0.36 percent allocated to new initiatives.

(2) FY 2010-11 and FY 2011-12 Division I and Executive Committee and presidential new initiatives.

(a) FY 2010-11 Distribution to Membership. An increase is recommended for the distribution to the Division I membership of $33.8 million. This was a component of the long-term distribution plan approved by the Division I Board of Directors and Executive Committee several years ago. Once final negotiations are complete on the media contract, 2011-12 revenue distribution amounts will be determined.

(b) NCAA Football Championship (FCS) series bracket expansion. An allocation of $250,000 is recommended to expand the FCS bracket beginning with the 2010 football championship. This expansion was approved by the Division I Board of Directors during the last budget cycle.

(c) Expanded softball bat testing and other championships initiatives. An allocation of $83,000 is recommended to expand the number of bats tested across all divisions, as well as to enhance the testing process. An allocation of $90,000 is planned for host expenses at specific championship events.

(d) Men's basketball recruiting. A recommended investment of $410,000 is recommended to assist with monitoring, investigation, education, outreach and compliance.

(e) Presidential Reserve. An allocation of $1 million is recommended to permit budget flexibility to implement new initiatives, as appropriate.

(3) FY 2010-11 and FY 2011-12 Divisions II and III budget recommendations. The Finance Committee did not have any exceptions to the respective initiatives within Divisions II and III.

(4) FY 2010-11 maintenance budget recommendations. The Finance Committee recommended the following fiscal year 2010-11 budget initiatives to maintain current program levels:

(a) Modest increases to maintain the current championships, programs and services;

(b) Additional dollars for contractual commitments and travel-related services;

(c) Adjustments related to the president's salary and a 2.25 percent adjustment to be allocated between market equity and performance adjustments for the staff; and

(d) Five hundred thousand dollars to maintain insurance and risk management programs, and a small incremental increase in officiating fees.

It was VOTED

"To approve the budget recommendations as proposed by the Finance Committee."

c. Building financing bond resolution. The Finance Committee recommended the approval of the bond resolution for the $20 million financing for the new building. Construction is scheduled to begin May 4, and total construction costs are approximately $35 million, and the remaining funding has been earmarked by previous Executive Committee actions. Construction bids came in at 15 percent below estimates, and the staff is continuing to work through some value engineering savings. The financing structure is a 10-year fixed rate structure with an anticipated interest rate of approximately three percent. The annual debt service will be approximately $2.3 million that will be funded from the NCAA Eligibility Center resources and annual committee cost savings.

It was VOTED [For 14, abstain 1.]

"To approve the bond resolution that would provide the authority for the borrowing."

d. Enterprise risk assessment executive summary. In preparation for the incoming NCAA president, the Finance Committee requested a refresh of the Enterprise Risk Assessment that was completed in 2004. Although there has been some change since 2004, the four fundamental risks have stayed the same:

(1) Reputational risks;

(2) Lack of revenue diversification;

(3) Adverse legal rulings/interpretation; and

(4) Regulatory intervention.

Two additional risks have been added to the assessment, and they are:

- Security and privacy of transactions, and data that the NCAA collects on behalf of its members; and

- Physical security around major events particularly around the NCAA Final Four.

This information will be included in the briefing document materials that have been prepared for the incoming President.

4. Executive Committee Accreditation Agency Working Group report.

The Committee received a report from the Accreditation Agency Working Group. The working group was established to review a request from an institution for a waiver of the constitutional membership requirements that mandate accreditation by one of the six regional accrediting agencies. Specifically, the institution wanted to substitute accreditation by a national accrediting agency. The working group recommended that the Committee deny the request for a waiver. Additionally, the group recommended that the issue be forwarded to each division for consideration of a modification to the NCAA Constitution by common provision to remove the requirement for accreditation by one of the six regional accrediting agencies and replace that language with a more general requirement of institutional accreditation by an accrediting agency that has been recognized by the U.S. Department of Education in compliance with Title IV of the Higher Education Act of 1965. The working group noted that NCAA legislative history indicates that at one time accreditation by a national accrediting agency was permitted; however, that language was changed after that agency ceased accrediting universities.

It was VOTED

"To approve the recommendations of the Accreditation Agency Working Group to deny the waiver request and forward the issue of a constitutional amendment to each of the divisional presidential bodies."

5. Litigation update. The Committee received a report from the NCAA general counsel regarding litigation and settlement actions. Also, the Committee reviewed an NCAA policy that would guide disclosure of records to be distributed publicly.

It was VOTED

"To adopt the following guiding principle regarding disclosure of NCAA records:

"It is the policy of the NCAA to disclose information as a matter of course to its member schools and conferences, or as requested by them and to others to the extent it supports the NCAA mission, except where disclosure would violate the law or prejudice the interests or well-being of the Association."

The Committee also approved a process for implementation of the policy by NCAA staff.

6. NCAA drug-testing results for 2008-09. The Committee received a report from the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports (CSMAS). The report included final results of the 2008-09 NCAA drug testing in championship events for all divisions, as well as year-round testing in Divisions I and II. The Committee noted an increase in positive tests for marijuana and a slight uptick in positive tests for anabolic steroids. CSMAS requested permission to publish the 2008-09 drug testing results and also requested permission to release contemporaneous aggregate drug-testing results data as a drug-education prevention tool, whereby the data could be used to underscore to the membership the risks faced by student-athletes.

It was VOTED

"To approve the publication of the 2008-09 drug testing results and to permit the release of contemporaneous aggregate drug testing results data in a manner that avoids the Association of any individual or institutional identity."

7. Concussion Policy.

The Committee also received a CSMAS report on recent discussions surrounding concussion management and a recommendation that the Executive Committee adopt a policy requiring institutions across all three divisions to have a concussion management plan on file that mandates removal of a student-athlete who exhibits signs, symptoms or behaviors consistent with a concussion from practice or competition.

It was VOTED

"To adopt the concussion management policy as follows:

"Institutions shall have a concussion management plan on file such that a student-athlete who exhibits signs, symptoms or behaviors consistent with a concussion shall be removed from practice or competition and evaluated by an athletics healthcare provider with experience in the evaluation and management of concussions. Student-athletes diagnosed with a concussion shall not return to activity for the remainder of that day. Medical clearance shall be determined by the team physician or their designee according to the concussion management plan.

"In addition, student-athletes must sign a statement in which they accept the responsibility for reporting their injuries and illnesses to the institutional medical staff, including signs and symptoms of concussions. During the review and signing process, student-athletes should be presented with educational material on concussions."

The policy is to be effective by the start of the 2010-11 academic year. The Committee also asked that consequences for not following the policy be deliberated and that recommended sanctions for noncompliance be presented to the committee by its August meeting. The Executive Committee also recommended each division consider this policy for legislative action.

8. 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) Division I Men's Basketball Championship Expansion. Unanimously approved expansion of the Division I Men's Basketball Championship to 68 teams.

(2) Football Academic Working Group. Received a report from the Football Academic Working Group and expressed strong support for the concepts recommended. The Board will review the recommendations in legislative format in August, with a plan to enter proposals into the 2010-11 legislative cycle.

(3) Executive Committee appointments. Approved the following appointments to the Executive Committee: Jim Cofer, University of Louisiana at Monroe, and David Schmidly, University of New Mexico.

(4) Board of Director appointments. Approved the following appointments to the Board of Directors: Lee Todd, University of Kentucky; Steadman Upham, University of Tulsa; and Nathan Hatch, Wake Forest University.

(5) Division I membership standards. Reviewed and approved the final recommendations from the Division I Leadership Council regarding division's membership standards. The Board plans to review the recommendations in legislative form in August prior to inserting them into the 2010-11 legislative cycle.

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

(1) Life in the Balance Phase II. As an ongoing commitment to providing student-athletes with a college experience that balances academics, athletics and social pursuits, Division II chancellors and presidents are engaging in Phase II of the "Life in the Balance" initiative that ensures alignment of athletics competition policies with the division's attribute-based strategic positioning platform. The Presidents Council reviewed the legislative concepts put forth by the Management Council on Phase II of the "Life in the Balance" initiative. The concepts deal with (a) annual or discretionary exemptions, (b) the nonchampionship segment, and (c) the 20/8 hour rule; skill instruction outside the playing season; and start dates for winter sports. The concepts will be further reviewed by the Division II Championships and Legislation Committees at their joint meeting in June. The Presidents Council will determine which concepts to sponsor for the 2011 NCAA Convention at its meetings this summer.

(2) 2010 Division II Chancellors and Presidents Summit. Received an update on the 2010 Chancellors and Presidents Summit, which will be conducted July 19. To date, approximately 140 presidents and chancellors have registered for the meeting, which will focus on Division II Life in the Balance

Phase II; Division II as a membership destination; academics and life skills; and athletics department enhancement tools.

(3) Diversity programming and Association-wide diversity initiatives. Met with NCAA staff members involved with diversity and inclusion. The discussion focused primarily on background information and the current diversity data and statistics for Division II. This is a discussion that the Presidents Council will continue to have throughout this year; the topic also has been placed on the agenda for the 2010 Division II Chancellors and Presidents Summit in June.

(4) Development of chancellors and presidents athletics oversight summary. The division is developing a chancellors and presidents athletics oversight summary, the intent of which is to enhance and support presidential commitment, oversight and involvement in the intercollegiate athletics program. The tool will assist Division II chancellors and presidents in evaluating their position in conjunction with the strategic position and philosophy of Division II intercollegiate athletics. The Presidents Council reviewed and endorsed the document. The document will be shared at the Division II Chancellors and Presidents Summit in June.

(5) Presidents Council vice chair. Elected Pat O'Brien, West Texas A&M University, as the new vice chair of the Council. Dr. O'Brien will assume his duties September 1, when Dr. Pitts' term ends.

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

(1) 2010-12 budget. Approved the division's proposed 2010-12 budget, noting that some minimal adjustments may be necessary in 2011-12 due to recent changes in the division's revenue projection. The division's reserve may be used to cover all approved 2011-12 commitments.

(2) Presidential leadership. Endorsed a series of concepts designed to better engage presidents in the strategic oversight and leadership of the division, consistent with the 2008 white papers. The following concepts will be reviewed in draft form during the August meeting for membership consideration at the 2011 Convention in San Antonio:

(a) Eliminate the need for the Presidents Council to serve as the sponsor for all of the governance-sponsored proposals for Convention vote. This would allow the Management Council to develop and sponsor operational and administrative legislation and will provide

a clear delineation of operational and strategic responsibilities within the governance structure.

(b) Establish a subcommittee of the Presidents and Management Councils to determine which concepts warrant review by the Presidents Council and formalize the guidelines for such determinations. The subcommittee will establish objective review guidelines that focus on clear, fundamental tenets of the Division III Philosophy Statement and set the proper framework for identifying issues that warrant the Presidents Council's attention.

(c) Expand the membership of the Management Council by adding the category of individuals to whom athletics reports. The addition of two individuals (non-Presidents who directly oversee an athletics director) could broaden the perspective of the Council by including a voice that, while responsible for managing athletics on most campuses, has not historically been directly included in governance discussions. The “direct report” model exists at approximately 805 of Division III member schools.

(d) Establish an expectation for conferences to demonstrate presidential leadership. Despite the current legislative requirement for conference presidential oversight, it appears that presidents may not actively lead some Division III conferences. The division will benefit from more clearly establishing the expectation of strategic leadership at the conference level, and will establish a clear goal in the division’s strategic plan, as well as offer incentives to support active presidential leadership.

(3) Collegiate sports wagering. Received a presentation on the results of the 2008 study on collegiate sports wagering, as well as the educational resources offered by the NCAA agents, gambling and amateurism staff. As a result of this presentation, the Council referred to the division’s Strategic Planning and Finance Committee the formal inclusion of sports wagering resources in the student-athlete well-being section of the conference grant program. The Council also suggested that Division III consider offering a sports wagering presentation for the 2011 NCAA Convention and consider other ways to enhance the division’s use of existing educational resources.

(4) Accreditation requirements for membership. Expressed caution on the concept of changing the accreditation bylaws as they currently stand, noting that the regional accrediting bodies may be less subject to political pressures than the U.S. Department of Education and the current standards seem to be appropriately rigorous for institutions of higher education.

9. NCAA Executive Committee Subcommittee on Gender and Diversity Issues. The Committee received a report from the Executive Committee Subcommittee on Gender and Diversity Initiatives. The subcommittee requested that the Executive Committee review and approve an Association-wide vision statement/framework for NCAA diversity and gender programs and initiatives.

It was VOTED

"To approve the diversity, inclusion and gender framework as follows:

"As a core value, the NCAA believes in and is committed to diversity, inclusion and gender equity among its student-athletes, coaches and administrators. We seek to establish and maintain an inclusive culture that fosters equitable participation for student-athletes and career opportunities for coaches and administrators from diverse backgrounds. Diversity and inclusion improve the learning environment for all student-athletes and enhance excellence within the Association.

"The NCAA will provide or enable programming and education, which sustains foundations of a diverse and inclusive culture across dimensions of diversity including, but not limited to age, race, sex, class, creed, educational background, disability, gender expression, geographical location, income, marital status, parental status, sexual orientation and work experiences. Programming and education also will strive to support equitable laws and practices, increase opportunities for individuals from historically underrepresented groups to participate in intercollegiate athletics at all levels, and enhance hiring practices for all athletics personnel to facilitate more inclusive leadership in intercollegiate athletics."

10. Association-wide committee frequency requests. The Association's bylaws require the Executive Committee to authorize exceptions for Association-wide committees to meet more than two meetings per year. Two of the nine Association-wide committees have requested waivers: (1) the Minority Opportunities and Interests Committee (MOIC) and (2) the Postgraduate Scholarship Committee.

It was VOTED

"To approve meeting exception waivers for the MOIC and the Postgraduate Scholarship Committee. Further the Committee delegated this authority to the NCAA president in the future."

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

12. Adjournment. Ray adjourned the meeting at 3:05 p.m.

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NCAA Government Relations Report
(July 2010)

1. Government Relations Overview.

As Congress enters into the summer months before its annual August recess, it faces an agenda full of vital policy matters including the aftermath of the explosion on the Deepwater Horizon oil rig off the Louisiana coast and the resulting oil spill. The environmental, health and economic impact has resulted in multiple congressional committees and subcommittees investigating the oil spill. House Speaker Nancy Pelosi has asked that Congress finish a legislative response to the Gulf oil spill before lawmakers depart Washington for the August recess. In addition to the Gulf oil spill, policymakers are dealing with issues related to the ongoing wars in Afghanistan and Iraq and the nation's economy. Among those priorities are the completion of financial regulatory overhaul legislation, consideration of legislation that will provide small-business tax breaks and loan incentives, and an important defense supplemental spending measure.

Members of Congress also continue to prepare for the upcoming mid-term elections. This fall, voters will determine the outcome of 36 Senate races and 435 races in the House of Representatives, which have already been impacted by the announced retirements of numerous members of Congress and several early surprises in primary elections. Despite its heavy workload, Congress has continued to show considerable interest in a variety of matters pertaining to amateur and professional athletics. The academic performance of student-athletes, concussions, conference realignment and the structure of the BCS all continue to garner the attention of policymakers. With significant developments occurring with the structure and contractual agreements within amateur and professional athletics, it is expected that Congress will continue to express an interest in athletics related matters.

2. Federal Issues.

a. Concussion Management.

On May 24, 2010, the House Judiciary Committee conducted a field forum in New York, NY titled "Key Issues Related to the Identification and Prevention of Head Injuries in Football." The examination was the fourth installment in a series of congressional inquiries on this matter. The forum was conducted by House Judiciary Members, Representative Linda Sanchez (D-CA) and Representative Anthony Weiner (D-NY). A significant amount of the discussion focused on the NFL and the new leadership of its committee on head injuries. Dr. Richard Ellenbogen and Dr.

Hunt Batjer, who recently began their roles as co-chairman of the NFL committee on head injuries, were questioned about the new direction of the committee; the leagues' dealings with retired players now suffering from traumatic head injuries, and data drawn from recent testing on various types of helmets.

While not the focus of the hearing, head injuries in college athletics were also discussed. Charlotte Bingham, managing director, Equal Opportunity Office, and associate vice chancellor of Administration, Texas Tech University, and Tammy Plevretes, whose son, Preston, suffered severe injuries from multiple concussions while playing football for La Salle University served as witnesses. Both individuals spoke directly to the dangers associated with mild traumatic brain injuries among amateur athletes.

To date, each of the forums and hearings before the House Judiciary Committee have focused mostly on mild traumatic brain injuries suffered by football players on the professional and collegiate levels. However, on May 20, 2010, the House Committee on Education and Labor shifted the focus and held a hearing titled "The Impact of Concussions on High School Athletes." The committee, which is chaired by Representative. George Miller (D-CA) examined how concussions, experienced by high school athletes, are having an impact on their academics and their overall quality of life. For the first time during this examination by Congress, concerns regarding head injuries suffered by female athletes were specifically discussed. A Government Accountability Office report on concussion and return-to-play guidelines for high school athletes was also examined.

These congressional events have provided an opportunity to discuss ongoing concerns with mild traumatic brain injuries suffered by athletes at all levels of competition. In addition to their prior efforts, many sports governing bodies have made significant strides to properly identify, treat and prevent these dangerous injuries. It is likely that Congress will continue to evaluate this issue.

b. Internet Gambling.

On May 19, 2010, the House Committee on Ways and Means held a hearing on tax proposals related to legislation to legalize Internet Gambling. Witnesses included Representative Barney Frank (D-MA), Representative Jim McDermott (D-WA) and Representative Bob Goodlatte (R-VA). Each of these members has been integrally

involved in the debate on whether to continue to prohibit Internet gambling or legalize and license online wagering operations. Representative Frank and Representative McDermott have introduced several measures during the 111th Congress that would allow for the latter.

While the conversation to date has focused on the issue of whether Internet gambling should be legal or illegal, this hearing took a closer look at the tax implications of proposals to legalize the activity. Specifically, there was an examination of the civil and criminal compliance issues and tools necessary to collect revenue if Internet gambling became legal. The two measures that served as a foundation for the discussion during the hearing, H.R. 2267, the Internet Gambling Regulation, Consumer Protection, and Enforcement Act, and H.R. 4976, the Internet Gambling Regulation and Tax Enforcement Act of 2010, have yet to receive any additional consideration.

c. Federal Agencies / Organizations.

(1) President's Council on Fitness, Sport and Nutrition. The NCAA government relations staff has met with Shellie Pfohl, the new Executive Director of the Council and looks forward to working with her on opportunities that may arise for our student-athletes, member institutions and the NCAA. First Lady Michelle Obama held an event on June 23, 2010, to launch the council and introduce the 2010 council co-chairs and members. New Orleans Saints Quarterback Drew Brees and three-time Olympic Gymnast Dominique Dawes were appointed co-chairs, and will lead an esteemed group that includes several former NCAA student-athletes. Their focus is to work through the Secretary of Health and Human Services to advise and assist in the development of accessible, affordable and sustainable physical activity, fitness, sports and nutrition programs for all Americans.

(2) U. S. Department of Homeland Security. The NCAA government relations staff continues to maintain and develop our relationships with key senior staff of the department. This allows the NCAA to receive guidance and appropriate support throughout our championship events. Homeland Security staff have been extremely responsive to the NCAA and have offered to continue to meet with appropriate staff when needed.

(3) U.S. Department of Education. The NCAA government relations staff continues to maintain and develop our relationships with key senior staff of the department. This has allowed for a more open dialogue and an opportunity to share information on NCAA policies and programs. We look forward to future opportunities to work closely with the department on issues important to the NCAA and its members.

3. State Issues.

a. Scholarship Disclosure.

On February 18, 2010, California Assembly member Tom Torlakson introduced AB 2079, the Student-Athletes Right to Know Act. Under the proposal all schools would be required to provide a disclosure letter outlining the terms and conditions of an athletic scholarship, once contact is made for the purposes of recruiting a prospective student-athlete that resides in California. This bill would also require that a written scholarship offer be made within one week of making a verbal offer. With the support of the National College Players Association, AB 2079 passed the assembly by a vote of 58-17 on June 2, 2010. On June 30, 2010, the Senate Committee on Education passed the measure by a vote of 5-2. AB 2079 will next be considered by the Senate Appropriations Committee.

To date, several California institutions have submitted letters opposing the measure. While generally supporting the bill's goal of ensuring that prospective student-athletes are making informed decisions; opposing institutions have expressed concern about the burdensome costs associated with distributing this disclosure letter to all recruits. More importantly, these schools have argued that this information is already readily available for prospective student-athletes. Finally, in order for Division I institutions to remain in compliance with the bill and NCAA bylaws, they would be subjected to significant limitations on when they could provide verbal offers. The limitation exists because a written offer would have to follow within one week and under NCAA rules a written offer cannot be extended until August 1 before a prospective student-athletes' senior year.

b. Uniform Athlete Agent Act.

The Uniform Athlete Agent Act (UAAA) is a state model act designed to protect student-athletes and membership institutions from the unscrupulous conduct of some athlete agents. The act establishes uniform athlete agent registration procedures and places limitations on the type of conduct that an athlete agent may engage in when dealing with a student-athlete. In addition, the act imposes criminal, civil and/or administrative penalties against unscrupulous agents.

To date, the UAAA has been passed in 38 states, Washington D.C. and the U.S. Virgin Islands. While the majority of state legislatures have adjourned for the year, there are two states with active UAAA legislation where recent movement has occurred. On April 21, 2010, SB 2542 was passed by the Illinois legislature. The measure was sent to Governor Pat Quinn on May 20, 2010. According to the Illinois Constitution, the Governor has 60 days to either sign or veto the bill. However, if he fails to act, the bill will automatically become law. In California, SB 1098 was passed by the California State Senate by a vote of 23-12. Upon moving to the assembly, the measure was passed by the Committee on Arts, Entertainment, Sports, Tourism, and Internet Media by a vote of 7-1 on June 22, 2010. On June 29, 2010, the Assembly Committee on the Judiciary passed SB 1098 by a vote of 8-2. The measure will next be considered by the Assembly Appropriations Committee.

The NCAA Office of Government Relations will continue to work with the National Conference of Commissioners on Uniform State Laws to seek passage of the UAAA in California and Illinois this year. We will also begin a coordinated effort to identify priority states for introduction and passage of the UAAA during the 2011 legislative cycle.

c. 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 Association of Public and Land-grant Universities (APLU), 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.

Proposal Number: 2010-

Title: DIVISION MEMBERSHIP -- ELIMINATION OF PROVISIONAL AND MULTIDIVISIONAL MEMBERSHIP -- RECLASSIFICATION PROCESS AND MULTI-SPORT CONFERENCE REQUIREMENTS

Intent: To eliminate provisional and multidivisional membership, as specified; further to establish a four-year process for an institution that wishes to reclassify membership from Division II to Division I.

A. Constitution: Amend 3, as follows:

3 NCAA Membership

3.01 GENERAL PRINCIPLES

3.01.1 Classes of Membership. ~~*The NCAA*~~ **Division I** offers ~~*five*~~ **four** classes of membership: active, conference, affiliated~~,~~ **and** corresponding ~~*and provisional*~~. Eligibility for and method of election to membership, obligations and conditions for continuing membership, voting rights, and other membership privileges for each class are defined in this article.

[3.01.2 through 3.01.4 unchanged.]

3.02 DEFINITIONS AND APPLICATIONS

[3.02.1 through 3.02.2 unchanged.]

3.02.3 Membership Categories.

3.02.3.1 Active Member. An active member is a four-year college or university ~~*or a two-year upper-level collegiate institution*~~ that is accredited by the appropriate regional accrediting agency and duly elected to active membership under the provisions of this article (see Constitution 3.2.3). Active members have the right to compete in NCAA championships, to vote on legislation and other issues before the Association, and to enjoy other privileges of membership designated in the constitution and bylaws of the Association.

[3.02.3.1.1 unchanged.]

~~*3.02.3.2 Provisional Member. A provisional member is a four-year college or university or a two-year upper-level collegiate institution that is accredited by the appropriate regional accrediting agency and that has applied for active membership in the Association. Provisional membership is a prerequisite for active membership in the Association. The institution shall be elected to provisional membership under the provisions of this article (see Constitution*~~

~~*3.6.3). Provisional members shall receive all publications and mailings received by active members in addition to other privileges designated in the constitution and bylaws of the Association. Provisional membership is limited to a seven-year period.*~~

[3.02.3.3 through 3.02.3.4 renumbered as 3.02.3.2 through 3.02.3.3, unchanged.]

3.02.3.~~5~~**4** Corresponding Member. A corresponding member is an institution, a nonprofit organization or a conference that is not eligible for active, ~~*provisional*,~~ conference or affiliated membership and desires to receive membership publications and mailings. A corresponding member duly elected under the provisions of this article (see Constitution 3.5.3) receives all publications and mailings received by the general NCAA membership and is not otherwise entitled to any membership privileges (see Constitution 3.5.2).

3.1 ELIGIBILITY FOR MEMBERSHIP

3.1.1 General. Membership is available to colleges, universities, athletics conferences or associations and other groups that are related to intercollegiate athletics; that are accredited by one of the six regional accrediting agencies and that are located in the United States, its territories or possessions. Such institutions or organizations must accept and observe the principles set forth in the constitution and bylaws of the Association. ~~*For a four-year period beginning August 9, 2007, no institution may begin the Division I provisional or reclassification membership process (including the exploratory process), no institution may begin the multidivisional membership reclassification process, no institution shall be permitted to seek classification or reclassification in the Football Championship Subdivision, and no new single-sport or multisport conference shall be elected to Division I conference membership.*~~

[3.1.2 unchanged.]

3.2 ACTIVE MEMBERSHIP

3.2.1 Eligibility Requirements.

3.2.1.1 Types of Institutions. Active membership is available to four-year colleges and universities ~~*and two-year upper-level collegiate institutions*~~, accredited by the appropriate regional accrediting agency and duly elected to active membership under the provisions of Constitution 3.2.3.

[3.2.1.2 through 3.2.1.3 unchanged.]

_____

~~*3.2.1.4 Compliance Requirement. The institution shall be in compliance with Constitution 3.2.1.2, 3.2.1.3 and Bylaw 20.9.3 at the time it makes application for active membership.*~~

[3.2.2 unchanged.]

3.2.3 Election Procedures.

3.2.3.1 ~~*Application*~~ **Completion of Reclassification Process**. An institution desiring to become an active member of ~~*this Association*~~ **Division I** shall complete a ~~*seven year provisional membership*~~ **reclassification** period (see ~~*Constitution 3.6 and*~~ Bylaw ~~*20.3*~~ **20.5**). After the Administration Cabinet has determined that the institution has met the requirements of ~~*provisional membership*~~ **reclassification**, its request for active membership will be referred to the Leadership Council for election.

3.2.3.2 Accreditation ~~*and Division Classification*~~. After the Administration Cabinet has determined that the institution is accredited by one of the six regional accrediting agencies, the application ~~*shall be considered with regard to requested membership division and sport classification in accordance with Bylaw 20. The application then*~~ shall be referred to the Leadership Council for consideration.

3.2.3.3 Election. A favorable vote by two-thirds of the Leadership Council members present and voting shall elect the applicant to membership effective the following ~~*September*~~ **August** 1~~*, the beginning of practice in any sport for that fall term or the first day of classes for that fall term, whichever occurs first*~~. When the vote of the Leadership Council has been completed, the applicant shall be notified.

3.2.3.4 Resignation and Re-election to Membership. If an institution resigns its **Division I** membership and subsequently applies to re-establish its **Division I** membership, the institution shall complete the ~~*provisional membership*~~ **reclassification** process (see ~~*Constitution 3.6 and*~~ Bylaw ~~*20.3*~~ **20.5**) before becoming eligible for re-election as an active member.

[3.2.4 through 3.2.6 unchanged.]

3.3 MEMBER CONFERENCE

3.3.1 Eligibility. ~~*(See Constitution 3.1.1.)*~~

3.3.1.1 Competitive and Legislative Body. A member conference shall be both a competitive and a legislative body on the conference level (see Constitution 3.02.1 and 3.02.2).

[3.3.1.1 renumbered as 3.3.1.2, unchanged.]

3.3.1.~~2~~**3** Composition of Conference. All of the members of the conference shall be active members of **Division I or be engaged in the reclassification process pursuant to Bylaw 20.5** ~~*this Association, except that a conference with 40 or more members may qualify as a member conference if 90 percent of its member institutions are active members of the Association*. *A conference may retain its membership even if it includes institutions that have been provisional members of the Association for at least one year*~~.

3.3.2 Privileges.

[3.3.2.1 unchanged]

3.3.2.2 Voting Rights. Only those member conferences that meet the criteria ~~*listed below*~~ **of Bylaw 20.02.6** shall be permitted to vote on issues before the Association.

~~*3.3.2.2.1 Competitive and Legislative Body. The member conference shall be both a competitive and a legislative body on the conference level (see Constitution 3.02.1 and 3.02.2).*~~

~~*3.3.2.2.2 Minimum Size and Division Status.*~~

~~*3.3.2.2.2.1 Full Voting Privileges. The member conference shall be composed of at least six members in a single division in order to be eligible for full voting privileges, including voting on federated bylaws (those bylaws that may be amended by one or more divisions acting separately).*~~

~~*3.3.2.2.2.2 Partial Voting Privileges. Those member conferences with at least six members but without a minimum of six members in a single division shall be permitted to vote on all dominant or common provisions (those provisions that apply to all three divisions of the Association). On these common provisions, the conference shall vote in the division in which the majority of its membership is classified. In the event that its membership is divided evenly between two divisions, the Executive Committee*~~

~~*shall determine its voting division. Such conferences shall not vote on federated provisions (those provisions that may be amended by one or more divisions acting separately).*~~

~~*3.3.2.2.3 Four-Sport/Three-Season Requirement*. *The member conference shall conduct conference competition in at least four sports for men, with at least one in each season, for the conference to vote on issues related solely to men's programs and four sports for women, with at least one in each season, for the conference to vote on issues related solely to women's programs. A season-ending tournament or round-robin regular-season play in a sport shall satisfy the conference competition requirement for that sport.*~~

3.3.2.2.~~*4*~~**1** Football Issues. ~~*In addition to meeting the requirements of Constitution 3.3.2.2.3 for men's and/or women's sports, conference*~~ **Conference** championship competition shall be conducted in football in order for the conference to vote on issues pertaining only to football.

[3.3.2.3 unchanged.]

3.3.3 Election Procedures.

3.3.3.1 Application. An athletics conference desiring to become a member conference shall make application on a form available from the national office by June 1 for membership effective ~~*September*~~ **August** 1 of the following academic year. A check in the appropriate amount for annual dues (see Constitution 3.~~*7*~~**6**.2) shall accompany the application. Should the applicant fail election, the dues paid shall be refunded.

3.3.3.2 Election. Athletics conferences may be elected as member conferences by a majority vote of the delegates present and voting at an annual Convention or by a majority vote of the Leadership Council, effective the following ~~*September*~~ **August** 1.

3.3.4 Conditions and Obligations of Membership.

[3.3.4.1 through 3.3.4.3 unchanged.]

~~*3.3.4.4 Composition of Conference. The member conference shall maintain a membership of institutions that are active members of this Association, except that a conference with 40 or more members may continue to qualify as a member*~~

~~*conference if 90 percent of its member institutions are active members of the Association*~~.

3.3.4.4 Officiating. A multisport conference shall provide oversight of the officiating programs for selecting, training and assigning officials for its men's and women's basketball programs.

3.3.4.5 Compliance Program. A multisport conference shall have a comprehensive compliance program.

[3.3.4.5 renumbered as 3.3.4.6, unchanged.]

3.3.5 Loss of Member -- Conference Status.

[3.3.5.1 unchanged.]

~~*3.3.5.2 Ineligible Conference Member Institution. If any member of an athletics conference is found to be ineligible for active membership in this Association, such conference shall be ineligible for conference membership and its membership terminated, unless the conference has 40 or more members and at least 90 percent of said conference members are active members of the Association*~~.

[3.3.5.3 through 3.3.5.5 renumbered as 3.3.5.2 through 3.3.5.4, unchanged.]

[3.3.6 unchanged.]

[3.4 unchanged.]

3.5 CORRESPONDING MEMBERSHIP

3.5.1 Eligibility. Corresponding membership is available to duly elected institutions, conferences and nonprofit organizations that are not eligible for active, ~~*provisional,*~~ conference or affiliated membership but wish to receive the Association's membership publications and mailings.

[3.5.2 through 3.5.6.1 unchanged.]

~~*3.6 PROVISIONAL MEMBERSHIP*~~

~~*3.6.1 Eligibility.*~~

~~*3.6.1.1 Types of Institutions. Provisional membership is available to four-year colleges and universities and two-year upper-level collegiate institutions, accredited by the appropriate regional accrediting agency and duly elected to provisional membership under the provisions of Constitution 3.6.3.*~~

~~*3.6.2 Privileges and Voting Rights.*~~

~~*3.6.2.1 Provisional Members. Provisional members shall receive all publications and mailings received by active members of the Association from the time of application, shall be entitled to be represented by one nonvoting delegate at any Convention of the Association and shall have such other privileges as may be accorded by the bylaws of the Association. A copy of NCAA Champion magazine shall be sent to each member of the NCAA.*~~

~~*3.6.2.2 Use of Association's Registered Marks. A provisional member may use the registered marks of the Association (the Association's name, logo or other insignia) only in accordance with guidelines established by the Executive Committee.*~~

~~*3.6.3 Election Procedures.*~~

~~*3.6.3.1 Application. An institution desiring to become a provisional member of this Association shall submit an application available from the national office not later than June 1 prior to the academic year that the institution begins its one-year exploratory period in the provisional membership process. A fee in the amount of $25,000 shall accompany the application. If the applicant fails to qualify for active membership, the fee shall be refunded, less any expenditure for educational costs related to the membership process. In addition, a check in the appropriate amount for annual dues (see the current annual dues for active members per Constitution 3.7.2) also shall accompany the application. Should the applicant fail to qualify academically or fail election, the dues paid shall be refunded.*~~

~~*3.6.3.2 Accreditation and Division Classification. After the Administration Cabinet has determined that the institution meets the Association's requirement of acceptable academic standards (the institution is accredited by one of the six regional accrediting agencies), the application shall be considered with regard to the requested membership division in accordance with Bylaw 20. The application then shall be referred to the Leadership Council for consideration.*~~

~~*3.6.3.3 Election. A favorable vote by two-thirds of the Leadership Council members present and voting shall elect the applicant to provisional membership*~~

~~*effective the following September 1. When the vote of the Leadership Council has been completed, the applicant shall be notified.*~~

~~*3.6.4 Conditions and Obligations of Membership. The conditions and obligations applicable to provisional members are set forth in Bylaw 20.3.*~~

~~*3.6.5 Loss of Provisional Membership.*~~

~~*3.6.5.1 Termination. The membership of any provisional member failing to maintain the academic or athletics standards required for such membership or failing to meet the conditions and obligations of membership may be terminated by a two-thirds vote of the Leadership Council members present and voting. A notice of intention to terminate membership, stating the grounds on which such a motion will be based, shall be given in writing to the president or chancellor of the member institution.*~~

~~*3.6.5.2 Cessation of Rights and Privileges. All rights and privileges of the provisional member shall cease on any termination of provisional membership.*~~

~~*3.6.5.3 Noncompliance. If a provisional member, during its compliance period, no longer meets the requirements of the constitution, bylaws and other legislation of this Association, it shall be reclassified immediately as a corresponding member.*~~

~~*3.6.5.4 Discipline of Member Conference. During the provisional member's compliance period, disciplinary or corrective actions other than termination of membership may be effected on a member conference that contains provisional members that fail to fulfill conditions and obligations of provisional membership.*~~

~~*3.6.5.5 Reinstatement of Terminated Member. Any provisional member whose membership is terminated may reapply for membership after a period of one year by a two-thirds vote of the Leadership Council members present and voting.*~~

3.~~7~~**6** DUES OF MEMBERS

3.~~7~~**6**.1 Determination of Dues. The annual dues of the various classes of membership shall be recommended to the membership by the Executive Committee.

3.~~7~~**6**.2 Current Annual Dues. The annual dues for various classes of membership shall be:

Active Members~~*~~	$1,800.00

Member Conferences	$900.00
Affiliated Members	$ 225.00
Corresponding Members	$ 225.00

~~*See Constitution 3.6.3.1 for provisional membership.~~

3.~~7~~**6**.3 Payment Deadline. Dues are payable September 1 of each year. A member shall not be permitted to vote at a Convention of the Association if its dues are not paid for that year. To be eligible to compete in NCAA championships, dues shall be paid in accordance with Bylaw 31.2.1.2. Membership is terminated if a member fails to pay dues for one year (see Constitution 3.2.5.3, 3.3.5.3, 3.4.5.2 and 3.5.5.2).

B. Constitution: Amend 5.1.3, as follows:

5.1.3 Annual or Special Convention Delegates.

[5.1.3.1 through 5.1.3.1.2 unchanged.]

5.1.3.2 Corresponding~~,~~ **and** Affiliated ~~*and Provisional*~~ Delegates. Each corresponding~~,~~ **and** affiliated ~~*and provisional*~~ member shall be entitled to one accredited delegate without voting privilege.

[5.1.3.3 through 5.1.3.4 unchanged.]

5.1.3.5 Delegate Participation in Conventions and Meetings.

5.1.3.5.1 Active Delegate. Privileges of the floor and the right to active participation in the business proceedings of any annual or special Convention of the Association is accorded to the following:

[5.1.3.5.1-(a) unchanged.]

(b) The single accredited delegate authorized in Constitution 5.1.3.1.2 to represent a member conference without voting privileges or in Constitution 5.1.3.2 to represent an affiliated~~,~~ **or** corresponding ~~*or provisional member*~~;

[5.1.3.5.1-(c) through 5.1.3.5.1-(d) unchanged.]

[5.1.3.5.2 unchanged.]

C. Bylaws: Amend 20, as follows:

20 Division Membership

[20.01 unchanged.]

20.02 DEFINITIONS AND APPLICATIONS

20.02.1 Multidivision Classification. Multidivision classification is the ~~*procedure*~~ **classification** in which ~~*a member institution may petition to have*~~ a ~~*certain*~~ sport ~~*or sports*~~ **is** classified in a division other than the division in which ~~*it*~~ **an institution** holds membership (see Bylaw 20.4).

[20.02.2 unchanged.]

~~*20.02.3 Provisional Membership. Provisional membership is a prerequisite for active membership. The standard provisional membership process requires a seven-year period before becoming eligible for active membership.*~~

[20.02.4 through 20.02.6 renumbered as 20.02.3 through 20.02.5, unchanged.]

20.02.6 Multisport Conference. A Division I multisport conference shall satisfy the requirements of this section.

20.02.6.1 Minimum Number of Members. A multisport conference shall be composed of at least seven active Division I members. The member conference shall include at least seven active Division I members that sponsor both men's and women's basketball.

20.02.6.2 Sports Sponsorship. A multisport conference shall satisfy the following requirements:

(a) The conference shall sponsor a minimum of 12 Division I sports;

(b) The conference shall sponsor a minimum of six men's sports, one of which shall be men's basketball. In addition to men's basketball, the conference shall sponsor football or two other men's team sports. A minimum of seven members shall sponsor men's basketball. A minimum of six members shall sponsor five other sports, including football or two additional men's team sports; and

(c) The conference shall sponsor a minimum of six women's sports, one of which shall be women's basketball. In addition to women's basketball, the conference shall sponsor two other women's team sports. A minimum of seven members shall sponsor women's basketball. A minimum of six members shall sponsor five other sports, including two additional women's team sports; (or a minimum of five members for an emerging sport for women).

20.02.6.3 Regular Season Conference Competition. Multisport conference members shall participate in regular-season conference competition, subject to the following requirements:

(a) Basketball teams shall participate in a regular season conference schedule of a double round robin, in-season competition, or a minimum of 14 regular season conference contests;

(b) In football or in a minimum of two men's team sports other than men's basketball [as required in Bylaw 20.02.6.2-(b)], teams shall compete in a minimum regular season conference schedule of five contests. A minimum of five regular season conference contests must be hosted by one of the two competing teams at its home venue; and

(c) In a minimum of two women's team sports other than women's basketball (as required in Bylaw 20.02.6.2), teams shall compete in a minimum regular season conference schedule of five contests. A minimum of five regular season conference contests must be hosted by one of the two competing teams at its home venue.

20.02.6.4 Continuity. A multisport conference shall establish continuity. To establish continuity, a multisport conference must meet the requirements of Bylaw 20.02.6.1. In addition, the conference must meet the requirements of Bylaws 20.02.6.2 and 20.02.6.3 for a period of eight consecutive years.

~~*20.1 DETERMINATION OF DIVISIONS*~~

~~*20.1.1 Designation of Division by Active and Provisional Members. Each active and provisional member institution shall be designated as a member of Division I, Division II or Division III for certain legislative and competitive purposes.*~~

~~*20.1.1.1 Men's and Women's Programs in Different Divisions. An institution shall not classify its women's athletics program in a division other than the institution's membership division, unless its women's program was so classified*~~

~~prior to January 11, 1991; further, for those institutions so classified, the Executive Committee, by a two-thirds majority of its members present and voting, may permit the institution's women's athletics program to be classified in a division other than its membership division, provided it determines every three years that unusual circumstances warrant such action.~~

~~20.1.1.2 Bowl Subdivision and NCAA Championship Subdivision Football. In football, Division I shall be divided into the Bowl Subdivision and the NCAA Championship Subdivision.~~

~~20.1.1.3 Multidivision Classification. A member may request classification and eligibility in more than one division in accordance with provisions permitting multidivision classification, eligibility and voting (see Bylaw 20.4).~~

~~20.1.2 Designation of Division by Member Conference. Each member conference shall determine the membership division it desires for legislative and/or competitive purposes. When designating the division, at least 50 percent or a minimum of 25 of the conference's institutions must hold membership in that division. The Executive Committee shall determine the membership division of a member conference not meeting these criteria.~~

[20.2 unchanged.]

~~20.3 PROVISIONAL MEMBERSHIP~~

~~20.3.1 Provisional Membership Process. A provisional member shall be eligible to apply for active membership only after the successful completion of specified requirements set forth in this bylaw. The Administration Cabinet may deny referral of a provisional member to the Leadership Council for election to active membership if any of the institution's sport programs are subject to penalties pursuant to the Division I Academic Performance Program.~~

~~20.3.1.1 Exploratory Period. An exploratory period will begin from the time the prospective institution's provisional membership application has been approved until the following September 1. During the exploratory period, a provisional member shall receive all publications and mailings received by active member of the Association. In addition, during the exploratory period, the institution is required to satisfy the following:~~

~~(a) Attendance at an orientation session conducted at the NCAA Convention and a regional compliance seminar conducted by the NCAA. Institutional representatives required to attend the orientation session and regional compliance seminar are the president or chancellor (or an individual appointed~~

~~*by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(b) Compliance with all minimum sport sponsorship and financial aid membership requirements; and*~~
~~*(c) Submit a formal confirmation of its intent to become an active Division I member and present a basic strategic plan that addresses the Division I philosophy statement (see Bylaw 20.9) and certification operating principles (see Bylaw 22.2) not later than June 1.*~~

~~*20.3.1.1.1 Application of Infractions and Reinstatement Processes. During the exploratory period, a provisional member shall not be subject to the NCAA enforcement and student-athlete reinstatement processes.*~~

~~*20.3.1.2 First Year. During the first year of provisional membership, an institution is required to satisfy the following requirements:*~~

~~*(a) Attendance at an orientation session conducted by the NCAA national office staff related to basic Division I operating rules and membership requirements. Institutional representatives required to attend the orientation session are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(b) Attendance at the NCAA Convention and at least one regional compliance seminar conducted by the NCAA or a member conference. Institutional representatives required to attend the NCAA Convention and regional compliance seminar are the chancellor or president (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(c) Fulfillment of other selected NCAA requirements set forth in Constitution 3 and 6 (e.g., faculty athletics representative, student-athlete advisory committee) at the beginning of the first year of provisional membership; and*~~

~~*(d) Submit an annual report by June 1 with an updated strategic plan that addresses the Division I philosophy statement and certification operating principles.*~~

~~*20.3.1.2.1 Application of Infractions and Reinstatement Processes. During the first year of provisional membership, an institution shall not be subject to the NCAA enforcement and student-athlete reinstatement processes.*~~

~~*20.3.1.3 Second Year. During the second year of provisional membership, an institution shall satisfy the following requirements:*~~

~~*(a) Full compliance with all Division I legislation and membership requirements (see Bylaw 20.9) at the beginning of the second year of provisional membership;*~~

~~*(b) Attendance at an orientation session conducted by the NCAA staff related to the application of Division I legislation to various issues impacting Division I. Institutional representatives required to attend the orientation session are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(c) Attendance at the NCAA Convention and at least one regional compliance seminar conducted by the NCAA or a member conference. Institutional representatives required to attend the NCAA Convention and regional compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(d) Process institutional and individual student-athlete violations of NCAA legislation through the NCAA enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of NCAA legislation; and*~~

~~*(e) Submit an annual report and updated strategic plan by June 1 based on feedback received from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report.*~~

~~*20.3.1.4 Third Year. During the third year of provisional membership, an institution shall satisfy the following requirements:*~~

~~*(a) Attendance at a meeting conducted at the NCAA Convention to discuss issues impacting Division I members. Institutional representatives required to attend the meeting are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of*~~

~~*athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(b) Attendance at the NCAA Convention and at least one regional compliance seminar conducted by the NCAA or a member conference. Institutional representatives required to attend the NCAA Convention and regional compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(c) Engage in a compliance review conducted by the national office staff;*~~

~~*(d) Process institutional and individual student-athlete violations of NCAA legislation through the NCAA enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of NCAA legislation; and*~~

~~*(e) Submit an annual report and updated strategic plan by June 1 based on feedback from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report.*~~
~~*20.3.1.5 Fourth Year. During the fourth year of provisional membership, an institution shall satisfy the following requirements:*~~

~~*(a) Attendance at a meeting conducted at the NCAA Convention to discuss issues impacting Division I members. Institutional representatives required to attend the meeting are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(b) Attendance at one regional compliance seminar conducted by the NCAA or a member conference. Institutional representatives required to attend the regional compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(c) Attendance by appropriate institutional representatives at the NCAA Gender Equity Issues Forum and an NCAA Diversity Workshop;*~~

~~*(d) Completion of an NCAA certification orientation;*~~

~~*(e) Process institutional and individual student-athlete violations of NCAA legislation through the NCAA enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of NCAA legislation; and*~~

~~*(f) Submit an annual report and updated strategic plan by June 1 based on the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report.*~~

~~*20.3.1.6 Fifth Year. During the fifth year of provisional membership, an institution shall satisfy the following requirements:*~~

~~*(a) Attendance at a meeting conducted at the NCAA Convention to discuss impacting Division I members. Institutional representatives required to attend the meeting are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(b) Attendance at one regional compliance seminar conducted by the NCAA or a member conference. Institutional representatives required to attend the regional compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(c) Successfully complete an NCAA athletics certification self-study and evaluation visit;*~~

~~*(d) Process institutional and individual student-athlete violations of NCAA legislation through the NCAA enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of NCAA legislation; and*~~

~~*(e) Submit an annual report and updated strategic plan by June 1 based on the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report.*~~

~~*20.3.1.7 Sixth Year. During the sixth year of provisional membership, an institution shall satisfy the following requirements:*~~

~~*(a) Attend a meeting conducted at the NCAA Convention to discuss issues impacting Division I members. Institutional representatives required to attend the meeting are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(b) Process institutional and individual student-athlete violations of NCAA legislation through the NCAA enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of NCAA legislation; and*~~

~~*(c) Submit an annual report and updated strategic plan by June 1 based on the previous plan. The institution shall report all violations to the Administration Cabinet as part of the annual report.*~~

20.4 MULTIDIVISION CLASSIFICATION/**RECLASSIFICATION OF FOOTBALL SUBDIVISION**

20.4.1 Multidivision Classification ~~*Options*~~. ~~*A member institution may have a sport classified in a division other than the one in which it is a member only in the following circumstances:*~~ ~~*(See Constitution 3.1.1.)*~~

~~*20.4.1.1 Division I Member. A member of Division I may petition to be classified in football in the Bowl Subdivision or the NCAA Championship Subdivision.*~~ **A member of Division II or Division III may have a sport classified in Division I, provided the sport was so classified during the 2010-11 academic year. Such a classification shall continue until the institution fails to conduct the sport in Division I in any following academic year.**

~~*20.4.1.2 Divisions II and III Members — Classification of a Sport in Division I. A member of Division II or Division III may petition to be classified in Division I in any one men's sport, other than football or basketball, and in any one women's sport, other than basketball, and in any single sport in which the only NCAA championships opportunity is the National Collegiate Championship. In addition, a member of Division II may be classified in Division I in a sport in which there is a Division I and a Division III championship, but no Division II championship*~~

~~*20.4.1.3 Women's Multidivision Classification Limitation. A member institution that has its women's program classified in a division other than its membership division (per Bylaw 20.1.1.1) shall not be eligible to petition for the multidivision-*~~

~~*classification opportunities available to a women's program that is classified in the same division as the institution's men's program.*~~

~~*20.4.1.4 National Collegiate Championship. A member institution may petition to be classified in a division other than its membership division in a single sport in which the only NCAA championships opportunity is a National Collegiate Championship for which all divisions are eligible.*~~

~~*20.4.2 Requesting Multidivision Classification.*~~

~~*20.4.2.1 Deadline for Submission of Approved Form. When petitioning for multidivision classification, a member shall submit its request to the Administration Cabinet on a form approved by the cabinet. The form must be received in the national office (by mail or electronic transmission) not later than June 1 preceding the year in which the institution will begin complying with the applicable division or subdivision criteria. The application forms shall be accompanied by a $5,000 fee and a strategic plan that addresses the Division I philosophy statement (see Bylaw 20.9) and certification operating principles (see Bylaw 22.2). Any form received after June 1 shall be postmarked not later than May 25. If the institution fails to qualify for active membership, the application fee shall be refunded, less any expenditure for educational costs related to the membership process.*~~

20.4.2 Football Subdivision Reclassification Options. A member of Division I may petition to be classified in football in the Bowl Subdivision or the NCAA Championship Subdivision.

20.4.2.1~~.1~~ Reclassification from Football Championship Subdivision to Football Bowl Subdivision -- Notification Requirement. The chancellor or president from a Football Championship Subdivision institution that intends to petition for reclassification to the Football Bowl Subdivision, per Bylaw 20.4.2, shall submit to the NCAA president written notice of the institution's intention to reclassify. The notice shall be received in the national office (by mail or electronic transmission) not later than June 1 two years prior to the September 1 when the institution intends to reclassify to the Football Bowl Subdivision. **Before a Football Championship Subdivision institution may be reclassified to the Football Bowl Subdivision, the institution must receive a bona fide invitation for membership in a Football Bowl Subdivision conference.**

20.4.2.2 Compliance with Criteria. If the member has met all applicable division membership criteria of this article (other than scheduling requirements during the first year of reclassification) and has complied for the two years preceding June 1

with all other bylaw requirements as they pertain to ~~*the sport in question (other than the Division III financial aid requirements set forth in Division III Bylaw 15.4, except that athletically related financial aid may not be awarded to incoming freshmen or transfer students)*~~ **the Football Bowl Subdivision**, the member shall be eligible for participation in the ~~*division in that sport*~~ **Football Bowl Subdivision** effective the ~~*September*~~ **August** 1 that the institution selects as its effective date.

20.4.2.2.1 ~~*Additional*~~ **Reclassification** Requirements.

20.4.2.2.1.1 First Year. During the first year of reclassification, an institution shall satisfy the following requirements:

(a) Attend an orientation session conducted by the national office staff related to the application of ~~*Division I or*~~ Football Bowl Subdivision membership requirements. Institutional representatives required to attend the orientation session are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics representative and the senior compliance administrator; and

(b) Submit an annual report and ~~*updated*~~ strategic plan by June 1 at the end of the first academic year ~~*based on feedback received from the previous year's report*~~.

(c) Report all violations to the Administration Cabinet as part of the required annual report.

20.4.2.2.1.2 Second Year. During the second year of reclassification, an institution shall satisfy the following requirements:

(a) Full compliance with all ~~*Division I or*~~ Football Bowl Subdivision legislation and membership requirements; ~~*and*~~

(b) Submit an annual report and updated strategic plan confirming compliance with all ~~*Division I or*~~ Football Bowl Subdivision legislation and membership requirements**; and**

(c) Report all violations to the Administration Cabinet as part of the required annual report.

20.4.2.2.1.3 Compliance Review Requirement. The institution must engage in a compliance review (at the institution's expense) during the ~~*multidivision*~~ reclassification period. The review must be conducted by an authority outside the athletics department (e.g., multisport conference, outside consultant), subject to approval by the Administration Cabinet. A copy of the report of the compliance review must be kept on file at the institution and a copy must be submitted to the Administration Cabinet.

~~*20.4.2.2.1.4 Application of Infractions and Reinstatement Process. During the reclassification process, an institution:*~~

~~*(a) Shall process institutional and individual violations in the particular sport through the Division I enforcement and student-athlete reinstatement processes;*~~

~~*(b) Shall be subject to any and all sanctions for violations of Division I legislation; and*~~

~~*(c) Shall report all violations to the Administration Cabinet as part of the required annual report.*~~

20.4.3 Championships Eligibility. ~~*To be eligible for the NCAA championship in the sport in the new division on the effective September 1, the institution shall comply with all championships eligibility requirements, as prescribed by Bylaw 31, and otherwise shall be eligible for participation in that championship. In addition, a member of Division II or Division III that has been approved for classification in one sport in Division I shall comply with the championships eligibility provisions of Bylaw 18.4.2.2.*~~

~~*20.4.3.1 Championships Eligibility.*~~ A member of Division I that has forwarded to the national office written notice of its intention to change its football membership classification from Championship Subdivision to Bowl Subdivision per Bylaw 20.4.2**.1** no longer shall be eligible for participation in the Division I Football Championship.

[20.4.4, unchanged.]

20.5 CHANGE OF DIVISION MEMBERSHIP

20.5.1 **Eligibility for** Reclassification ~~*Options*~~. A ~~*member institution may request a change of division membership according to the provisions of this section. A member of Division I may petition to change its membership to Division II or Division III, and a*~~

member of Division II may petition to change its membership to ~~*either*~~ Division I ~~*or Division III*~~. ~~*(See Constitution 3.1.1.)*~~ **subject to the following prerequisites:**

(a) The institution shall have been an active Division II member for the preceding five years;

(b) The institution shall be in compliance with all Division I minimum sports sponsorship and financial aid membership requirements; and

(c) The institution shall have received a bona fide offer of membership by an active Division I multisport conference.

20.5.2 Requesting Reclassification. **In order to petition to change its membership to Division I, the institution and its sponsoring conference shall complete an application and submit it to the Administration Cabinet on a form approved by the cabinet.**

20.5.2.1 Deadline for Submission of ~~*Petition*~~ **Application**. ~~*When petitioning for a change of division membership, a member shall notify the Administration Cabinet on an application approved by the cabinet.*~~ The application shall be received in the national office (by mail or electronic transmission) not later than June 1 prior to the academic year ~~*that*~~ **in which** the institution ~~*begins*~~ **is seeking to begin** its ~~*one-year exploratory period in*~~ **first year of** the reclassification process. Any application received after that date shall be postmarked not later than May 25. ~~*A fee of $15,000 shall accompany the application. If the applicant fails to qualify for active membership, the application fee shall be refunded, less any expenditure for educational costs related to the membership process.*~~

20.5.2.2 Application Fee. A fee shall accompany the application. The amount of the fee shall be determined each year based on the estimated annual average value of direct benefits through distributions and championships made available to Division I members. If an institution withdraws from the reclassification process, the application fee shall be refunded to the institution on a prorated basis—75% through year one, $50% through year two, 30% through year three and no refund thereafter.

20.5.2.3 Initial Strategic Plan. The institution's application shall include an initial strategic plan that addresses the Division I philosophy statement (see Bylaw 20.9) and the athletics certification operating principles (see Bylaw 22.2). The initial strategic plan must be approved by the sponsoring conference.

20.5.2.4 Notification of Infractions Matters. The institution's application shall include notification whether it is, at the time of application, involved in an investigation of potential rules violations, an infractions case or is on probation for rules violations.

20.5.2.~~2~~**5** Compliance with Criteria. **The Administration Cabinet shall monitor the institution's progress and compliance with the criteria of the reclassification process. The cabinet shall have the authority to deny advancement to the next year of the process if it determines that deficiencies warrant a requirement that the institution repeat a particular year.** If the ~~*member*~~ **institution** has met all ~~*applicable membership*~~ **the reclassification** criteria of this article ~~*for the division to which it intends to transfer*~~ and has complied for the four years preceding June 1 with all other requirements set forth in this bylaw, **the Administration Cabinet shall refer** the ~~*member*~~ **institution's request for active Division I membership** ~~*shall be transferred to the new division effective the September 1 that the institution selects as its effective date*~~ **to the Leadership Council for election effective August 1 following such election**. However, the Administration Cabinet may deny referral of a reclassifying institution to the Leadership Council for advancement to active Division I status if any of the institution's sport programs are subject to penalties pursuant to the Division I Academic Performance Program (APP). **An institution shall not be elected to active membership in Division I if it is subject to an APP historical penalty.**

~~*20.5.2.2.1 Exploratory Year. During the exploratory year, an institution that has petitioned for a change of division or subdivision membership shall satisfy the following requirements:*~~

~~*(a) Attendance at the NCAA Convention and a regional compliance seminar conducted by the NCAA. Institutional representatives required to attend the Convention and compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(b) Attendance at an orientation session conducted by the national office staff related to basic Division I membership requirements. Institutional representatives required to attend the orientation session are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior*~~

~~*woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(c) Compliance with all minimum sport sponsorship and financial aid membership requirements; and*~~

~~*(d) Submit a formal confirmation of its intent to reclassify to Division I and a skeleton strategic plan that addresses the Division I philosophy statement (see Bylaw 20.9) and athletics certification operating principles (see Bylaw 22.2) by June 1. During the exploratory year, an institution that has petitioned for a change of division shall start receiving all NCAA mailings relating to the new division.*~~

> ~~*20.5.2.2.1.1 Application of Infractions and Reinstatement Processes. During the exploratory year, a Division II member reclassifying to Division I shall continue to process institutional and individual student-athlete violations through the Division II enforcement and student-athlete reinstatement processes.*~~

20.5.2.~~*2*~~**5**.~~*2*~~**1** First Year. During the first year of reclassification, an institution shall satisfy the following requirements:

~~*(a) Compliance with all minimum contests and participation requirements for sports sponsorship as set forth in Bylaw 20.9.4.3;*~~

~~*(b) Submit a strategic plan based on feedback from the previous plan;*~~

~~*(c) Apply all Division I legislation except scheduling requirements and continuing eligibility requirements (e.g., progress-toward-degree, five-year rule) for student-athletes who are completing their final season of competition and were enrolled at the institution at least one year prior to the institution's petition for exploratory membership;*~~

~~*(d) Attendance at the NCAA Convention and a regional compliance seminar conducted by the NCAA. Institutional representatives required to attend the Convention and compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(e) Attendance at an orientation session conducted by the national office related to the application of Division I legislation and issues impacting Division I. Institutional representatives required to attend the orientation session are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(f) Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation; and*~~

~~*(g) Submit an annual report and updated strategic plan by June 1 based on feedback from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report.*~~

(a) Attendance at an orientation session conducted by the national office staff related to basic Division I operating rules and membership requirements. Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;

(b) Attendance at the NCAA Convention Division I Issues Forum and Business Session. Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;

(c) Attendance at a regional rules seminar conducted by the NCAA. Institutional representatives required to attend are the chancellor or president [or an individual appointed by the chancellor or president with executive status at the institution], the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;

(d) Apply all Division I legislation, except scheduling requirements and continuing eligibility requirements (e.g., progress-toward-degree, five year rule) for student-athletes who are completing their final

season of competition and were enrolled at the institution at least one year prior to the institution entering year one of the reclassification process;

(e) Completion of a preliminary NCAA athletics certification orientation, which shall require attendance by representatives from the sponsoring conference.

(f) Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation; and

(g) Submit an annual report and a strategic plan by June 1. The institution shall report all violations to the Administration Cabinet as part of the annual report and provide notice whether it is involved in an investigation of potential rules violations, an infractions case or is on probation for rules violations.

20.5.2.~~2~~**5**.~~3~~**2** Second Year. During the second year of reclassification, an institution shall satisfy the following requirements:

~~*(a) Full compliance with all Division I legislation and membership requirements;*~~

~~*(b) Attendance at the NCAA Convention and a regional compliance seminar conducted by the NCAA. Institutional representatives required to attend the Convention and compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(c) Attendance at a meeting to be conducted at the NCAA Convention to discuss issues impacting Division I members. Institutional representatives required to attend the meeting are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(d) Completion of a compliance review conducted by the national office and submission of a report with an institutional response to findings;*~~

~~*(e) Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation; and*~~

~~*(f) Submit an annual report and updated strategic plan by June 1 based on feedback received from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report.*~~

(a) Full compliance with all Division I legislation and membership requirements;

(b) Attendance at the NCAA Convention Division I Issues Forum and Business Session. Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;

(c) Attendance at a regional rules seminar conducted by the NCAA. Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;

(d) Completion of a compliance review conducted by the national office and submission of a report with an institutional response to the findings and recommendations;

(e) Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation; and

(f) Submit an annual report and an updated strategic plan by June 1 based on feedback related to the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the

annual report and provide notice whether it is involved in an investigation of potential rules violations, an infractions case or is on probation for rules violations.

20.5.2.~~2~~**5**.~~4~~**3** Third Year. During the third year of reclassification, an institution shall satisfy the following requirements:

(~~*a) Attendance at the NCAA Convention and a regional compliance seminar conducted by the NCAA. Institutional representatives required to attend the Convention and compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(b) Attendance at a meeting to be conducted at the NCAA Convention to discuss issues impacting Division I members. Institutional representatives required to attend the meeting are the president or chancellor (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(c) Completion of an NCAA athletics certification orientation;*~~

~~*(d) Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation; and*~~
~~*(e) Submit an annual report and updated strategic plan by June 1 based on feedback received from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report.*~~

(a) Attendance at the NCAA Convention Division I Issues Forum and Business Session. Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;

(b) Attendance at a regional rules seminar conducted by the NCAA. Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;

(c) Completion of an NCAA athletics certification orientation;

(d) Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation; and

(e) Submit an annual report and an updated strategic plan by June 1 based on feedback related to the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report and provide notice whether it is involved in an investigation of potential rules violations, an infractions case or is on probation for rules violations.

20.5.2.~~2~~**5**.~~5~~**4** Fourth Year. During the fourth year of reclassification, an institution shall satisfy the following requirements:

~~*(a) Successfully complete an NCAA athletics certification self-study and evaluation visit;*~~

~~*(b) Attendance at the NCAA Convention and a regional compliance seminar conducted by the NCAA. Institutional representatives required to attend the Convention and compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(c) Attendance at a meeting conducted at the NCAA Convention to discuss issues impacting Division I members. Institutional representatives required to attend the annual meeting are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;*~~

~~*(d) Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation; and*~~

~~*(e) Submit an annual report and updated strategic plan by June 1 based on feedback received from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report.*~~

(a) Successfully complete an NCAA athletics certification self study and evaluation visit;

(b) Attendance at the NCAA Convention Division I Issues Forum and Business Session. Institutional representatives required to attend are the chancellor or president (or an individual appointed by the chancellor or president with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;

(c) Attendance at a regional rules seminar conducted by the NCAA. Institutional representatives required to attend are the chancellor or president [or an individual appointed by the chancellor or president with executive status at the institution], the director of athletics, the senior woman administrator, the faculty athletics representative and the senior compliance administrator;

(d) Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation; and

(e) Submit an annual report and an updated strategic plan by June 1 based on feedback related to the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report and provide notice whether it is involved in an investigation of potential rules violations, an infractions case or is on probation for rules violations.

20.5.3 Athletics Certification Progress Report. The institution shall submit a report to the Committee on Athletics Certification regarding the progress of any plans for

improvement (as recommended by the committee) not later than the conclusion of its second year of active Division I membership.

20.5.4 Timing of Monetary Distributions. The institution shall qualify to begin receiving revenue distributions related to sports sponsorship and grants-in-aid after three calendar years as an active Division I member. The institution shall qualify to receive the Student-Athlete Opportunity, Special Assistance and Academic Enhancement Funds, and basketball grant funds, as determined by its sponsoring conference, beginning with its first year of active membership.

20.5.~~3~~**5** Championships Eligibility. To be eligible for NCAA championships in ~~*the new division*~~ **Division I as of** the effective ~~*September*~~ **August** 1, the institution shall comply with all championships eligibility requirements, as prescribed by Bylaw 31, and otherwise shall be eligible for participation in those championships. In addition, a member of Division I shall comply with the provisions of Bylaw 18.4.2.2.

20.7 DIVISION LEGISLATION

20.7.1 Applicable Legislation. A member institution shall observe the applicable legislation and requirements of its membership division. However, if the institution is eligible to participate in a sport in ~~*another division*~~ **Division I** (see Bylaw 20.4 for multidivision-classification privileges), it shall apply the rules of ~~*the other division*~~ **Division I** that govern the sport in question.

[20.7.1.1 unchanged.]

20.7.1.2 Division III Application. A Division III member institution that has a sport classified in Division I must apply the rules of both divisions, or the more stringent rule if both divisions have a rule concerning the same issue except that in either instance, the Division III institution may apply the Division I playing and practice season regulations of Bylaw 17 in the Division I sport.

20.7.1.2.1 Waivers. If a member institution conducts a men's or women's sport that was classified in Division I during the 1982-83 academic year, the Administration Cabinet, by a two-thirds majority of its members present and voting, may approve waivers of the application of the Division III regulations to such a sport. ~~*This provision also applies to such an institution that later reclassifies a sport for the opposite gender to Division I. This waiver provision is subject to the following additional conditions:*~~

_____

~~*(a) The opportunity is available only to an institution that obtained the waiver prior to January 1, 2004, and used it during the 2002-03 academic year; and*~~

~~*(b) An institution that obtained a waiver for a sport for one gender prior to January 1, 2004, and used it during the 2002-03 academic year, may later request that the waiver be applied to a sport for the other gender only on the approval of the Administration Cabinet, by a two-thirds majority vote of its members present and voting. The institution must demonstrate that it is necessary to do so to attain gender equity within the program.*~~

[20.8 unchanged.]

20.9 DIVISION I MEMBERSHIP REQUIREMENTS

[20.9.1 through 20.9.4 unchanged.]

20.9.5 Scheduling -- Sports Other Than Football, Basketball, Men's Swimming and Diving and Men's Indoor and Outdoor Track and Field.

20.9.5.1 Scheduling Requirement. In sports other than football, basketball, men's swimming and diving and men's indoor and outdoor track and field that a member institution uses to meet the Division I sports sponsorship criteria, an institution shall schedule and play 100 percent of its contests against Division I opponents to meet the minimum number of contests specified in Bylaw 20.9.4.3. The institution shall schedule and play at least 50 percent of its contests beyond the number specified in Bylaw 20.9.4.3 against Division I opponents.

[20.9.5.1.1 through 20.9.5.1.4 unchanged.]

~~*20.9.5.1.5 Provisional Member Opponents. A Division I provisional institution shall be counted as a Division I opponent in the year the Division I provisional institution must comply with Division I scheduling requirements (year two of the provisional process).*~~

[20.9.5.1.6 renumbered as 20.9.5.1.5, unchanged.]

20.9.6 Basketball Scheduling.

20.9.6.1 Four-Game Limit. An institution may schedule and play not more than four basketball games in an academic year against institutions that are not members of Division I.

~~*20.9.6.1.1 Two-Game Limit for Provisional Members. A provisional member shall schedule and play not more than two basketball games in an academic year against institutions that are not members of Division I. A provisional member is required to apply scheduling criteria beginning with year two of the provisional process.*~~

~~*20.9.6.1.1.1 Alaska, Hawaii or Puerto Rico. Contests played in Alaska, Hawaii or Puerto Rico shall not be counted for purposes of meeting the division's scheduling requirement if such games are exempt from counting toward the playing-season limitations.*~~

20.9.6.2 One-Third of Men's Contests in Home Arena. An active **or reclassifying** member ~~*or a provisional member*~~ must play at least one-third of its regular-season men's basketball contests in the arena regularly used for the institution's home games. ~~*A provisional member is required to apply scheduling criteria beginning with year two of the provisional process.*~~

[20.9.6.2.1 unchanged.]

20.9.6.3 Counting Contests.

20.9.6.3.1 Membership Classification of Opponents. In determining whether an institution meets the scheduling criteria, each opponent shall be counted as it was classified on September 1 of the academic year involved.

[20.9.6.3.1.1 unchanged.]

~~*20.9.6.3.1.2 Provisional Member Opponents. A Division I provisional institution shall be counted as a Division I opponent in the year the Division I provisional institution must comply with Division I scheduling requirements (year two of the provisional process).*~~

[20.9.6.3.1.3 renumbered as 20.9.6.3.1.2, unchanged.]

[20.9.7 unchanged.]

20.9.8 Football Championship Subdivision Requirements. An institution classified as a Football Championship Subdivision member shall meet the additional requirements listed below.

[20.9.8.1 unchanged.]

20.9.8.2 Football Scheduling Requirement. The institution shall schedule and play more than 50 percent of its football games against Football Bowl Subdivision or Football Championship Subdivision members.

20.9.8.2.1 Membership Classification of Opponents. In determining whether an institution meets the scheduling criteria of the Football Championship Subdivision, each opponent shall be counted as it was classified on September 1 of the academic year involved.

[20.9.8.2.1.1 unchanged.]

~~*20.9.8.2.1.2 Provisional Member Opponents. A Football Championship Subdivision provisional institution shall be counted as a Football Championship Subdivision opponent in the year the provisional institution must comply with Football Championship Subdivision scheduling requirements (year two of the provisional process).*~~

[20.9.8.2.1.3 renumbered as 20.9.8.2.1.2, unchanged.]

[20.9.8.2.2 through 20.9.8.2.4 unchanged.]

Source: NCAA Division I Board of Directors (Leadership Council)

Effective Date: Immediate

Proposal Category: Amendment

Topical Area: Division Membership

Rationale: This proposal is the result of a three-year examination of the impact of membership migration and development of reasonable philosophical expectations and legislative requirements for membership in the Division I. The legislation is designed to better prepare prospective new members for a move to Division I. The resulting structure will ensure that reclassifying members are committed to the Division I philosophy and

operating principles. In addition, this legislation will increase the likelihood that such institutions will operate successful, competitive programs at the Division I level.

Budget Impact: Will vary based on the number institutions that seek reclassification.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Proposal Number: 2010-

Title: NCAA MEMBERSHIP -- ACTIVE MEMBERSHIP -- ELECTION PROCEDURES -- BOARD OF DIRECTORS

Intent: To specify that the Board of Directors, on the recommendation of the Administration Cabinet, shall have the authority to elect an institution to active Division I membership status.

A. Constitution: Amend 3, as follows:

3 NCAA Membership

[3.01 through 3.1 unchanged.]

3.2 ACTIVE MEMBERSHIP

[3.2.1 through 3.2.2 unchanged.]

3.2.3 Election Procedures.

3.2.3.1 Application. An institution desiring to become an active member of this Association shall complete a seven-year provisional membership period (see Constitution 3.6 and Bylaw 20.3). After the Administration Cabinet has determined that the institution has met the requirements of provisional membership, its request for active membership will be referred to the ~~*Leadership Council*~~ **Board of Directors** for election.

3.2.3.2 Accreditation and Division Classification. After the Administration Cabinet has determined that the institution is accredited by one of the six regional accrediting agencies, the application shall be considered with regard to requested membership division and sport classification in accordance with Bylaw 20. The application then shall be referred to the ~~*Leadership Council*~~ **Board of Directors** for consideration.

3.2.3.3 Election. A favorable vote by two-thirds of the ~~*Leadership Council*~~ **Board of Directors** members present and voting shall elect the applicant to membership effective the following September 1, the beginning of practice in any sport for that fall term or the first day of classes for that fall term, whichever occurs first. When the vote of the ~~*Leadership Council*~~ **Board of Directors** has been completed, the applicant shall be notified.

[3.2.3.4 unchanged.]

[3.2.4 through 3.2.6 unchanged.]

3.3 MEMBER CONFERENCE

[3.3.1 through 3.3.2 unchanged.]

3.3.3 Election Procedures.

[3.3.3.1 unchanged.]

3.3.3.2 Election. Athletics conferences may be elected as member conferences by a majority vote of the delegates present and voting at an annual Convention or by a majority vote of the ~~*Leadership Council*~~ **Board of Directors**, effective the following September 1.

[3.3.4 through 3.3.6 unchanged.]

[3.4 through 3.5 unchanged.]

3.6 PROVISIONAL MEMBERSHIP

[3.6.1 through 3.6.2 unchanged.]

3.6.3 Election Procedures.

[3.6.3.1 unchanged.]

3.6.3.2 Accreditation and Division Classification. After the Administration Cabinet has determined that the institution meets the Association's requirement of acceptable academic standards (the institution is accredited by one of the six regional accrediting agencies), the application shall be considered with regard to the requested membership division in accordance with Bylaw 20. The application then shall be referred to the ~~*Leadership Council*~~ **Board of Directors** for consideration.

3.6.3.3 Election. A favorable vote by two-thirds of the Leadership Council members present and voting shall elect the applicant to provisional membership effective the following September 1. When the vote of the ~~*Leadership Council*~~ **Board of Directors** has been completed, the applicant shall be notified.

[3.6.4 unchanged.]

3.6.5 Loss of Provisional Membership.

3.6.5.1 Termination. The membership of any provisional member failing to maintain the academic or athletics standards required for such membership or failing to meet the conditions and obligations of membership may be terminated by a two-thirds vote of the ~~*Leadership Council*~~ **Board of Directors** members present and voting. A notice of intention to terminate membership, stating the grounds on which such a motion will be based, shall be given in writing to the president or chancellor of the member institution.

[3.6.5.2 through 3.6.5.4 unchanged.]

3.6.5.5 Reinstatement of Terminated Member. Any provisional member whose membership is terminated may reapply for membership after a period of one year by a two-thirds vote of the ~~*Leadership Council*~~ **Board of Directors** members present and voting.

[3.7 unchanged.]

B. Constitution: Amend 4.2, as follows:

4.2 DIVISION I BOARD OF DIRECTORS

[4.2.1 through 4.2.1.3 unchanged.]

4.2.2 Duties and Responsibilities. The Board of Directors shall:

[4.2.2-(a) through 4.2.2-(m) unchanged.]

(n) Advise the Executive Committee concerning the employment of the NCAA president and concerning the oversight of his or her employment; ~~*and*~~

(o) Be responsible for the administration, compilation and disclosure of information concerning the Academic Progress Rate (APR) and Academic Performance Census (APC)**; and**

(p) Elect institutions to active Division I membership.

C. Bylaws: Amend 20.3, as follows:

20.3 PROVISIONAL MEMBERSHIP

20.3.1 Provisional Membership Process. A provisional member shall be eligible to apply for active membership only after the successful completion of specified requirements set forth in this bylaw. The Administration Cabinet may deny referral of a provisional member to the ~~*Leadership Council*~~ **Board of Directors** for election to active membership if any of the institution's sport programs are subject to penalties pursuant to the Division I Academic Performance Program.

[Remainder of 20.3 unchanged.]

[20.4 through 20.4.4 unchanged.]

20.5 CHANGE OF DIVISION MEMBERSHIP

[20.5.1 unchanged.]

20.5.2 Requesting Reclassification.

[20.5.2.1 unchanged.]

20.5.2.2 Compliance with Criteria. If the member has met all applicable membership criteria of this article for the division to which it intends to transfer and has complied for the four years preceding June 1 with all other requirements set forth in this bylaw, the member shall be transferred to the new division effective the September 1 that the institution selects as its effective date. However, the Administration Cabinet may deny referral of a reclassifying institution to the ~~*Leadership Council*~~ **Board of Directors** for advancement to active Division I status if any of the institution's sport programs are subject to penalties pursuant to the Division I Academic Performance Program.

[Remainder of 20.5 unchanged.]

Source: NCAA Division I Board of Directors (Leadership Council)

Effective Date: Immediate

Proposal Category: Amendment

Topical Area: NCAA Membership

Rationale: This proposal transfers the responsibility of electing institutions to active Division I membership from the Leadership Council to the Board of Directors. The Leadership Council will still maintain oversight of the membership processes and benchmarks; however, the Board of Directors should have the ultimate authority to elect new Division I members. This change is requested as noncontroversial legislation, inasmuch as broader consultation and debate are unlikely to improve the proposal in any substantial way, significant disagreement or alternative points of view will not be generated and there does not appear to be a significant impact on existing legislation or proposed legislation.

Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

Background information for request that the Board of Directors adopt noncontroversial legislation that would specify the eligibility consequences and notice requirements for violations in the men's basketball program involving camp employment, camp operation and men's basketball staff involvement in the operation of nonscholastic events.

(See Attachment for draft of the proposal.)

Excerpt from Report of October 29, 2009 Board of Directors Meeting

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.**

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).

2010-

RECRUITING -- OFFERS AND INDUCEMENTS -- TRYOUTS -- CAMPS AND CLINICS -- PRECOLLEGE EXPENSES -- NOTIFICATION OF INELIGIBILITY AND CONSEQUENCES -- MEN'S BASKETBALL

Intent: In men's basketball, to specify that if particular violations related to tryouts and camps and clinics occur, the institution shall declare each involved prospective student-athlete ineligible; further to specify that within 30 days of becoming aware of the violation, the institution shall provide written notification to each involved prospective student-athlete that the actions of the institution affected his eligibility; finally, to specify that the written notification shall also include an explanation of the consequences of the violation for the prospective student-athlete.

A. Bylaws: Amend 13.2, as follows:

13.2 OFFERS AND INDUCEMENTS

13.2.1 General Regulation. An institution's staff member or any representative of its athletics interests shall not be involved, directly or indirectly, in making arrangements for or giving or offering to give any financial aid or other benefits to a prospective student-athlete or his or her relatives or friends, other than expressly permitted by NCAA regulations. Receipt of a benefit by prospective a student-athlete or his or her relatives or friends is not a violation of NCAA legislation if it is determined that the same benefit is generally available to the institution's prospective students or their relatives or friends or to a particular segment of the student body (e.g., international students, minority students) determined on a basis unrelated to athletics ability.

[13.2.1.1 unchanged.]

13.2.1.2 Eligibility Ramifications -- Restitution for Receipt of Improper Benefits. **Except as provided in Bylaw 13.2.1.3,** ~~*For*~~ **for** violations of Bylaws 13.2.1 in which the value of the offer or inducement is $100 or less, the eligibility of the individual (prospective or enrolled student-athlete) shall not be affected conditioned upon the individual repaying the value of the benefit to a charity of his or her choice. The individual, however, shall remain ineligible from the time the institution has knowledge of the receipt of the impermissible benefit until the individual repays the benefit. Violations of this bylaw remain institutional violations per Constitution 2.8.1, and documentation of the individual's repayment shall be forwarded to the enforcement services staff with the institution's self-report of the violation.

13.2.1.3 Notification of Ineligibility and Consequences -- Men's Basketball. If a violation of Bylaw 13.2.1 occurs in which an institution or men's basketball staff member employed (either on a salaried or a volunteer basis) an individual associated with a recruited prospective student-athlete at the institution's camp or clinic the institution shall declare each involved prospective student-athlete

ineligible. Within 30 days of becoming aware of the violation, the institution shall provide written notification to each involved prospective student-athlete that the actions of the institution affected the prospective student-athlete's eligibility. The written notification shall also include an explanation of the consequences of the violation for the prospective student-athlete.

B. Bylaws: Amend 13.11, as follows:

13.11 TRYOUTS

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

[13.11.1.1 through 13.11.1.8 unchanged.]

13.11.1.9 Effect of Violation. Violations of Bylaw 13.11 and its subsections**, except as provided in Bylaw 13.11.1.10,** shall be considered institutional violations per Constitution 2.8.1; however, such violations shall not affect the prospective student-athlete's eligibility.

13.11.1.10 Notification of Ineligibility and Consequences -- Men's Basketball. If a violation of Bylaw 13.11.1 occurs in which 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 boys'/men's basketball nonscholastic event on its campus, the institution shall declare each involved prospective student-athlete ineligible. Within 30 days of becoming aware of the violation, the institution shall provide written notification to each involved prospective student-athlete that the actions of the institution affected the prospective student-athlete's eligibility. The written notification shall also include an explanation of the consequences of the violation for the prospective student-athlete.

[13.11.2 unchanged.]

13.11.3 Tryout Exceptions.

[13.11.3.1 unchanged.]

13.11.3.2 Activities Not Involving Institution's Staff. The use of a member institution's facilities for physical activities by a group that includes prospective student-athletes shall

not be considered a tryout, provided the institution's athletics department staff members or representatives of its athletics interests are not involved in the conduct, promotion or administration of the activity (other than activities incidental to supervising the use of the facilities) and are subject to all applicable NCAA recruiting legislation (see ~~*Bylaw*~~ **Bylaws** 13.11.1.6 **and 13.11.1.10**).

[Remainder of 13.11.3 unchanged.]

C. Bylaws: Amend 13.12, as follows:

13.12 SPORTS CAMPS AND CLINICS

[13.12.1 through 13.12.2 unchanged.]

13.12.3 Notification of Ineligibility and Consequences of Violation -- Men's Basketball. In men's basketball, if a violation specified below occurs, the institution shall declare each involved prospective student-athlete ineligible. Within 30 days of becoming aware of the violation, the institution shall provide written notification to each involved prospective student-athlete that the actions of the institution affected the prospective student-athlete's eligibility. The written notification shall also include an explanation of the consequences of the violation for the prospective student-athlete.

(a) A violation of Bylaw 13.12.2.2-(b) in which an institution or men's basketball staff member employs (either on a salaried or a volunteer basis) an individual associated with a recruited prospective student-athlete at the institution's camp or clinic.

(b) A violation of 13.12 in which an institutional boys' basketball camp offers a participation, registration procedure, fee structure, advertisement and/or logistical experience (e.g., lodging, meals, transportation or awards/mementos) that differs from other institutional boys' basketball camps.

D. Bylaws: Amend 13.15, as follows:

13.15 PRECOLLEGE EXPENSES

13.15.1 Prohibited Expenses. An institution or a representative of its athletics interests shall not offer, provide or arrange financial assistance, directly or indirectly, to pay (in whole or in part) the costs of the prospective student-athlete's educational or other expenses for any period prior to his or her enrollment or so the prospective student-athlete can obtain a postgraduate education. **Except as provided in Bylaw 13.15.1.10,** ~~*For*~~ **for** violations of Bylaw 13.15 in which the value of the benefit received directly by the prospective student-athlete is $100 or less, the eligibility of the prospective student-athlete shall not be affected conditioned on the prospective student-

athlete repaying the value of the benefit to a charity of his or her choice. However, the prospective student-athlete shall remain ineligible from the time the institution has knowledge of receipt of the direct impermissible benefit until the prospective student-athlete repays the benefit. Violations of this bylaw remain institutional violations per Constitution 2.8.1, and documentation of the prospective student-athlete's repayment shall be forwarded to the enforcement staff.

[13.15.1.1 through 13.15.1.9 unchanged.]

13.15.1.10 Notification of Ineligibility and Consequences -- Men's Basketball. If a violation of Bylaw 13.15.1 occurs in which 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 boys'/men's basketball nonscholastic event on its campus, the institution shall declare each involved prospective student-athlete ineligible. Within 30 days of becoming aware of the violation, the institution shall provide written notification to each involved prospective student-athlete that the actions of the institution affected the prospective student-athlete's eligibility. The written notification shall also include an explanation of the consequences of the violation for the prospective student-athlete.

Source: NCAA Division I Board of Directors

Effective Date: Immediate

Proposal Category: Amendment

Topical Area: Recruiting

Rationale: The concepts contained in this proposal were originally presented to and endorsed by the Board of Directors in October 2009 as part of the Implementation Plan for Recommendations from Basketball Focus Group and Academic and Membership Affairs Staff on Solutions to Current Issues in Men's Basketball Recruiting. The requirements of this proposal will serve as significant deterrents in the effort to change behaviors and attitudes in the men's basketball recruiting culture. This change is requested as noncontroversial legislation, inasmuch as broader consultation and debate are unlikely to improve the proposal in any substantial way, significant disagreement or alternative points of view are not likely generated and there does not appear to be a significant impact on existing or proposed legislation.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time (Academic and/or Athletics): None.

History
Oct 28, 2009: Submit; Submitted for consideration.

REPORT OF THE
NCAA DIVISION I COMMITTEE ON INFRACTIONS

***ACTION ITEM*.**

NCAA Bylaw 32.7.1 – Enforcement Policies and Procedures – Summary Disposition and Expedited Hearing -- Summary Disposition Election.

1. **Recommendation:** The committee recommends that the NCAA Division I Board of Directors revise Bylaw 32.7.1 to remove the prohibition that the summary disposition process shall not be used to adjudicate a case involving a repeat violator.

2. **Bylaw:** Amend 32.7.1 as follows:

   32.7.1 Summary Disposition Election.

   In major infractions cases, institutions, involved individuals and the enforcement staff may elect to process the case through the summary disposition procedures specified below. The enforcement staff, involved individuals, if participating, and the institution must agree to use the summary disposition process. ~~*If the institution is subject to the repeat violator legislation as indicated in Bylaw 19.5.2.3, the summary disposition process shall not be used.*~~ *(Adopted: 1/16/93, Revised: 4/22/98, 6/11/07)*

3. **Effective Date**: Immediate.

4. **Rationale:** This proposal simply removes the prohibition that a repeat violator may not have an infractions case processed though the summary disposition process. It should be noted that the enforcement staff and the institution still must agree to use the summary disposition process to adjudicate the case.

5. **Estimated Budget Impact**: None.

6. **Impact on Student-Athlete's Time**: None.

Coaches APR

Impacting Factors Beyond Coach's Control

Men's basketball coaches know they have an important role to play in establishing in the minds of their players the priority academic success and graduation are to the student-athlete and the program. Coaches establish academic rules and guidelines with their players and teams that underscore their commitment that their student-athletes be successful in the classroom and on the court.

Below is a list of items that are impacting on the team APR beyond the control of the coach.

1. Coach has no control over the academic budget to establish academic support on campus and on road trips.
2. Does not control conference basketball scheduling that may require midweek games
3. Does not control TV game scheduling that impacts missed class time.
4. Many DI programs play guarantee games at the direction of the athletic department to support the athletic department budget creating more games on the road and missed class time.
5. Do not control admission process impacting who is and who is not admissible.
6. Coaches do not meet and talk with professors relative to S/A academic progress and grades.
7. S/A are going to transfer for a myriad of reasons just like the rest of the student body.
8. Disciplinary matters and playing time issues can hold the coach hostage due to the APR retention point.
9. No control over summer school funding. If it was up to the coach, all players would attend summer school.
10. Players leave early to follow their dream or the money on the advice of agents, parents, non scholastic coaches.
11. Many institutions cannot or do not fund tutors traveling with the team.
12. Do not control mode of travel for the team (plane or bus) which affects the length of their time away from the campus and impacts missed class time.
13. Seniors…preparing for the draft---leave campus to go to work-out gurus. Underclassmen are also encouraged to leave campus in the summer to work out with a "trainer" in the hope of improving the player's game.
14. Coaches turnover is a factor in transferring of S/A. Approximately 50 D1 head coaches lose their jobs in any given year.
15. New coach hired in the spring inherits the APR of the entire year of which he had no involvement.

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NCAA Division I Board of Directors

August 12, 2010 Meeting

Indianapolis, Indiana

Haney Discussion Points

I. APR Matters: Thoughts to improve Men's basketball APR rates and graduation
   A. Facts
      1. 40% of incoming freshmen leave their collegiate institution by the end of their second year (NCAA Research)
      2. Men's basketball is the only sport where APR scores drop when there is a coaching change. It drops for two to three years (NCAA Research)
      3. Four-to-Four transfers and Two-Year college transfers are not graduating (NCAA research)
         a. Two-Year college transfers concentrated in non BCS conferences (NCAA research)
      4. Coaches of institutions that pay for all men's basketball student-athletes to attend summer school report marked academic growth of their student-athletes in APR and graduation success
      5. Student-athletes who attend summer school prior to fall enrollment as freshman and summer school between their first and second years leads to increased academic success (NCAA Research)
      6. Nonscholastic advisors enter the lives of basketball recruits at an early age and college coaches need help to overcome the influence of these people at the earliest possible time in the recruiting process. Often these individuals aspire to become an agent/advisor and current NCAA rules impede building early coach/player relationships.
   B. Challenges
      1. How to markedly reduce the 40% departure problem?
         a. More accurate evaluation of prospects by coaches
         b. NBA/NBA-NBAPA rules defining eligibility for draft
      2. How to keep student-athletes on road to graduation and not yearly eligibility?
         a. Effective use of summer school to earn 30 semester hours/year
         b. Coaches' access to work with student-athletes in the summer in lieu of leaving campus (BAEG proposal)
      3. How to improve chances of four-to-four transfers and two-year college transfers graduation?
         a. Core course/GPA requirement for immediate eligibility for two-year transfers; otherwise one year in residence
         b. Effective use of summer school

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4. Based on the importance of summer school to APR success and graduation how do we insure student-athletes attend summer school
    a. Institutions paying for all men's basketball student-athletes to attend summer school
    b. Student-athletes can earn the right not to attend
    c. Coaches' access to work with student-athletes thus eliminating the lure to leave campus to work with a "special" coach

C. Recommendations to NCAA Board of Directors
1. Support shift from eligibility model to graduation model by supporting mandatory summer school.
2. Support access of coaches to student-athletes during summer school attendance
    a. Graduation issue
    b. Retention issue
3. Support tryouts of prospective student-athletes during their official visits
4. Support prospective student-athletes taking official visits in the spring of their junior year in high school

D. Coaches APR
1. Coaches accept responsibility for student-athletes' social, academic and athletic conduct
2. Coaches need help from presidents and directors of athletics to provide funding for summer school, academic support staff to counsel and tutor, transportation to and from games, etc.
3. Coaches believe it is grossly unfair to take over a job with one month remaining in the academic year and be assigned the APR of the previous coach

II. Image of coaching profession and its impact on NCAA men's basketball
A. Negative articles about coaches' conduct in recruiting hurting NCAA men's basketball and NCAA
B. Fact or fiction: are coaches cheating to get prospects to commit?
C. NABC Plan to address ethics, character and development of teacher/coach
1. Recommendation for NCAA Board approval forthcoming

III. Communications Plan
A. Initiation communication on individual campuses and conferences

IV. Agents access to Student-athletes
A. NBA advisory committee
B. Agents/runners are significant problem and opening to door to open communication for men's basketball would make matters worse.

REPORT OF THE AUGUST 12, 2010, MEETING OF THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I BOARD OF DIRECTORS.

1. **Report of the April 29, 2010, Board of Directors meeting. The Board approved the report of its April 29, 2010, meeting.** (Unanimous Voice Vote.) [Reference Supplement No. 1.]

2. **Report of the Division I Presidential Advisory Group**. The Board received a report from Ann Millner, chair of the Division I Presidential Advisory Group (PAG), regarding the group's August 9, 2010, conference call. The Board was informed of PAG's view regarding various Board agenda items as they were considered by the Board, including actions by the Football Championship Subdivision (FCS) members of PAG to sponsor legislation, regarding membership requirements for the FCS. [Reference BOD Supplement No. 2.]

3. **Report from the Interim President.** NCAA Interim President Jim Isch reported on the following items:

   a. **Head Coaches Academic Performance Rate (APR) Portfolio**. Isch noted the recent release of the single-year APR scores for Division I head coaches in six sports, including football and basketball. It was noted that the database was designed to create more transparency in the Academic Performance Program and strengthen the accountability of coaches for the academic performance of their student-athletes.

   b. **Agents**. Isch noted recent news stories about agents and their involvement with student-athletes and prospective student-athletes. The Board was informed that appropriate discussions concerning relationships involving student-athletes and agents have already begun in the NCAA structure. It is expected that the agent issue will be reviewed by various governance bodies, along with feedback from the membership, before the Board would be expected to act.

   c. **Values-Based Decision Making**. Wally Renfro, vice president and senior advisor to the president, described the work of the Values-Based Decision Making Group and a draft of a white paper that attempts to examine values as a balance point between self-interest and self-denial in decision making. The Board was asked to provide feedback that can be used by the Values-Based Decision Making Group as it continues this project.

   d. **Athletics Finances**. Todd Petr, NCAA managing director of research, presented the Board with revenue and expense data related to six-year trends in Division I athletics finances, with a focus on the Football Bowl Subdivision (FBS). The group discussed the trends evidenced by the data and noted some of the differences across the

subdivisions. A request was made for the research staff to incorporate non-FBS data into the FBS quartile data that was presented in order to compare similarities and differences.

4. **Knight Commission Report**. The Board heard a presentation from Brit Kirwan and Gerald Turner, co-chairs of the Knight Commission, regarding its 2010 report "Restoring the Balance" in intercollegiate athletics. The Board and the co-chairs engaged in considerable discussion about the commission's recommendations and a process to continue communication of the commission's recommendations and follow up in the NCAA governance structure.

5. **National Association of Basketball Coaches Report (NABC).** Jim Haney, executive director of the NABC, informed the Board of the NABC's views on ways to improve men's basketball APR and graduation rates, as well as challenges faced by men's basketball in this area. The Board received a copy of the NABC Communications Strategy for Coaches, which is a document that includes suggested best practices for coaches to enhance communications at the campus, conference and national level. The Board endorsed the plan and agreed to encourage Division I institutions to consider and implement some of these strategies.

6. **Legislative Issues**. The Board reviewed the following legislative recommendations:

   a. **Football Academic Working Group**. The Board reviewed the working group's recommendation that it sponsor legislation that would require football student-athletes who do not successfully complete nine semester or eight quarter credit hours or earn the fall semester or quarter APR eligibility point to be ineligible for participation in the first four games of the following football season. However, if the student-athlete has successfully completed 27 credit hours or 40 quarter hours prior to the beginning of the following fall term, he would be ineligible for only two games.

   b. **Men's Basketball Academic Enhancement Group**. The Board considered a recommendation that it sponsor legislation that would establish a summer academic preparation and college acclimatization model for designated men's basketball student-athletes.

   c. **Division I Membership Standards**. The Board considered a recommendation that it sponsor legislation to implement new Division I membership standards.

BOARD ACTION: The Board agreed to sponsor the recommended legislation in Item Nos. 6-a through 6-c above in the 2010-11 legislative cycle. (Unanimous voice vote.) [Reference BOD Supplement Nos. 5, 6 and 7.]

d. **Concussion Management.** The Board was asked to use its authority to adopt emergency legislation that would require Division I institutions to have a concussion management plan on file, as specified in the proposal.

BOARD ACTION: The Board used its authority to adopt emergency legislation as requested above. (Unanimous voice vote.) [Reference Proposal No. 2010-4.]

e. **Basketball Focus Group.** The Board was asked to use its authority to adopt emergency legislation that would specify the eligibility consequences and notice requirements for violations in the men's basketball enforcement initiative involving camp employment, camp operation and men's basketball staff involvement in the operation of nonscholastic events. It was noted that the Board adopted the concept during its October 2009 meeting; however, this action was necessary to include these provisions in the NCAA Manual.

BOARD ACTION: The Board agreed to adopt emergency legislation that would specify the eligibility consequences and notice requirements for the violations specified above. (Unanimous voice vote.) [Reference Proposal No. 2010-5.]

7. **Update on Legislative Council's Consideration of Board of Director's April Resolution.** Shane Lyons, associate commissioner at the Atlantic Coast Conference and chair of the Division I Legislative Council, reviewed a discussion document submitted in response to the Board's April Resolution requesting that the Legislative Council develop a draft of a policy statement that would provide better guidance regarding consideration of proposed NCAA legislation. The discussion document provided information to assist the Board in its understanding of the dynamics of the current legislative cycle and identified several concepts relating to the legislative process that will be discussed further by the Legislative Council during its October meeting. It was noted that the Board will receive an update from the council during the Board's October meeting.

8. **Committee on Academic Performance**. The Board received a report of the June 28-30, 2010, meeting of the Committee on Academic Performance (CAP). The Board asked that during its October meeting the CAP report on its examination of the Academic Performance Rate (APR) calculation and whether a score of 925 remains the appropriate benchmark.

9. **Litigation Update.** Elsa Cole, NCAA General Counsel, provided this report to the Board.

10. **Division I Committee on Infractions.** The Board reviewed a recommendation from the Committee on Infractions to revise NCAA Bylaw 32.7.1 to remove the prohibition that the summary disposition process shall not be used to adjudicate a case involving a repeat violator.

    BOARD ACTION: The Board approved the recommended revision to Bylaw 32.7.1. (Unanimous voice vote.) [Reference PP-2010-1.]

11. **Election of New Chair.** The Board voted to select Judy Genschaft, president of the University of South Florida, to serve as the new chair of the Board of Directors. (Unanimous voice vote.)

12. **Future meeting Dates**.

    a. October 28, 2010, The Westin Indianapolis, Indianapolis, Indiana.

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

    c. April 28, 2011, The Westin Indianapolis, Indianapolis, Indiana

    d. August 11, 2011, The Westin Indianapolis, Indianapolis, Indiana

    e. October 27, 2011, The Westin Indianapolis, Indianapolis, Indiana

Board of Directors chair: Edward Ray, Oregon State University, acting chair for this meeting
Staff Liaisons: S. David Berst, Division I governance
Jacqueline Campbell, Division I governance

NCAA DIVISION I BOARD OF DIRECTORS
AUGUST 12, 2010, MEETING ATTENDANCE

Board members in attendance:
Stanley Albrecht, Utah State University, Western Athletic Conference
Guy Bailey, Texas Tech University, Big 12 Conference
Charles Bantz, Indiana University-Purdue University of Indianapolis, Summit League
William Beauchamp, University of Portland, West Coast Conference
Greg Dell'Omo, Robert Morris University, Northeast Conference
Nathan Hatch, Wake Forest University, Atlantic Coast Conference
Sidney McPhee, Middle Tennessee State University, Sun Belt Conference
William Meehan, Jacksonville State University, Ohio Valley Conference
Ann Millner, Weber State University, Big Sky Conference
John Peters, Northern Illinois University, Mid-American Conference
Edward Ray, Oregon State University, Pacific-10 Conference, acting chair
David Schmidly, University of New Mexico, Mountain West Conference
Lou Anna Simon, Michigan State University, Big Ten Conference
Lee Todd, University of Kentucky, Southeastern Conference
Steadman Upham, University of Tulsa, Conference USA

Board members not in attendance:
Judy Genshaft, University of South Florida, Big East Conference
William R. Harvey, Hampton University, Mid-Eastern Athletic Conference
Kevin Mullen, Siena College, Metro Atlantic Athletic Conference

NCAA staff Liaisons in attendance:
S. David Berst, NCAA
Jacqueline Campbell, NCAA, recording secretary

Guests from other Division I governance bodies:
Shane Lyons, Atlantic Coast Conference, chair of the Division I Legislative Council

Other Guests:
Jim Haney, National Association of Basketball Coaches
Brit Kirwan, Knight Commission
Amy Perko, Knight Commission
Gerald Turner, Knight Commission

Other NCAA staff members in attendance: Erik Christianson, Elsa Cole, Joni Comstock, Mark Emmert, Bernard Franklin, Lynn Holzman, Michelle Hosick, Jim Isch, Kevin Lennon, Steve Mallonee, Keith Martin, Delise O'Meally, Tom Paskus, Todd Petr, Bill Regan, Wallace Renfro, Greg Shaheen, Robert Vowels, Wendy Walters, Charlotte Westerhaus, Bob Williams and Brandon Wright.

The National Collegiate Athletic Association
August13, 2010 SDB/JGC:vlm