A G E N D A

National Collegiate Athletic Association
Division I Board of Directors

The Westin Indianapolis
Indianapolis, Indiana

October 28, 2010
8 a.m. – 3 p.m.

1. Opening remarks.

2. Report of the August 12, 2010, Board of Directors meeting. [Supplement No. 1] [**Anticipated Action Item]**

3. Report of the Division I Presidential Advisory Group October 27, 2010, meeting. [Supplement No. 2 will be distributed at the meeting.] [No action anticipated.]

4. Report from NCAA President Mark Emmert.

5. Report from the Committee on Academic Performance. [Supplement No. 3. An Addendum will be distributed at the meeting.] [Walter Harrison, chair] [Possible Action Item]

6. Report from the Division I Academic Cabinet [Supplement Nos. 4A, 4B and 4C] [Carolyn Callahan, chair] [Possible Action Item]

7. Men's Basketball Summer Recruiting – Request from Collegiate Commissioners Association (CCA). [Supplement No. 5 to be posted prior to the meeting.] [**Anticipated Action Item]**

8. Task Force to Clarify Roles of Committees on Infractions and Infractions Appeals Committee Update. [Supplement No. 6 to be posted prior to the meeting.] [Bernard Franklin, executive vice president for membership and student-athlete affairs] [**Anticipated Action Item]**

9. Membership Categories – Affiliated/Corresponding Membership. [Supplement No. 7] [**Anticipated Action Item]**

10. Committee on Infractions. [Supplement No. 8] [**Anticipated Action Item]**

    - Request to modify Bylaw 19.02.2.1.

11. Division I Governance Structure Update.

    a. Report from the October 5, 2010, Division I Leadership Council meeting. [Supplement No. 9] [No action anticipated.]

    b. Report of the October 18-19, 2009, Division I Legislative Council. [Supplement No. 10 will be posted in advance of the meeting.] [Possible Action Item]

    c. 2011 NCAA Convention. [Supplement No. 11]

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

13. Litigation update. [Supplement No. 13 will be distributed at the meeting.] [No action anticipated.]

14. Governmental relations report. [Supplement No. 14] [No action anticipated – for information only.]

15. Other business.

16. Future meeting dates.

    a. January 15, 2011, NCAA Convention, San Antonio, Texas
    b. April 28, 2011, The Westin Indianapolis, Indianapolis, Indiana
    c. August 11, 2011, The Westin Indianapolis, Indianapolis, Indiana
    d. October 27, 2011, The Westin Indianapolis, Indianapolis, Indiana

17. Adjournment

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

ADDENDUM
SUPPLEMENT NO. 1
DI Board of Directors 10/10

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

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

Executive Summary of the September NCAA Division I Academic Cabinet Meeting
Prepared for the NCAA Division I Board of Directors and the
NCAA Division I Presidential Advisory Group

1. Review of Division I academic requirements.

The NCAA Division I Academic Cabinet continued its discussion of possible changes to the initial-eligibility and 2-4 transfer requirements and is seeking the NCAA Division I Board of Directors' input on draft concepts. The cabinet met jointly with the NCAA Division I Committee on Academic Performance in June to discuss academic requirements and has engaged representatives from two-year college community.

a. **Initial-eligibility requirements:** After considering several potential modifications, the cabinet determined that, at this time, it does not recommend changes to the initial-eligibility requirements. The cabinet noted that additional time will allow for full consideration of data not yet available including:

(1) The impact of the increase to 16 core courses;

(2) Data regarding core-course taking patterns which should be available June 2011; and

(3) The impact of NCAA Division I Academic Progress Rate and NCAA Division I Academic Performance Program standards.

The cabinet did note that among current qualifiers, student-athletes with the lowest high school core grade-point averages in aggregate have the lowest academic success in college. Thus, any change to the initial-eligibility standards could consider increasing the core grade-point average minimum above the current 2.000. The cabinet noted this could be considered in conjunction with a tiered eligibility standard (e.g., athletics aid and practice based on an established grade-point average and competition based on a higher standard).

b. **Two-four transfer requirements:** The cabinet reviewed extensive research in developing the draft concepts.

The cabinet noted that this initial package of concepts strives to balance principles of increased academic success, simplicity of administration, access to higher education and opportunity for prospective student-athletes who are academically underprepared. The package of draft concepts includes the following:

Qualifiers:

(1) Increase transferrable grade-point average from 2.0 to 2.5;

(2) Expand the current men’s basketball limitation of two physical education activity credits to all sports; and

(3) All other 2-4 transfer requirements for qualifiers would remain in place.

Nonqualifiers:

(1) Increase transferrable grade-point average from 2.0 to 2.5;

(2) Expand current required core transferrable courses (six English and three math) to include three science;

(3) Expand the current men's basketball limitation of two physical education activity credits to all sports;

(4) Eliminate the requirement of three semester or four quarters of attendance; and,

(5) Continue to require completion of 48 semester or 72 quarter hours of transferrable degree credit and completion of the Associate's of Arts degree.

Year of Academic Readiness.

(1) Provides an option for academically underprepared student-athletes who require a longer period of enrollment at the two-year institution to be academically prepared.

(2) Occurs during initial year of college enrollment and at the two-year institution.

(3) Prohibits competition during first year of enrollment at the two-year institution.

(4) Start of five-year clock would be delayed for the purposes of period of eligibility and progress-toward degree.

(5) Input is needed on how student-athletes would be identified. Possible options include enrollment in a specified number of remedial hours, status as a nonqualifier, another academic indicator or lack of competition.

2. Alternative Proposal for 2010-58: Summer Academic Preparation and Acclimatization – Men's Basketball.

The cabinet generally supports the overall package of elements outlined in NCAA Proposal 2010-58. However, the cabinet recommends an alternative proposal for consideration by the Board. The alternative proposal increases the requirement for completion of credit hours during the summer prior to enrollment from three hours to six hours. The cabinet noted that requiring successful completion of three hours, while requiring six hours, does not provide the appropriate academic foundation.

REPORT OF THE NCAA DIVISON I ACADEMIC CABINET SEPTEMBER 13-14, 2010, MEETING

KEY ITEMS.

1. **Review of NCAA Division I Academic Eligibility Requirements for Prospective Student-Athletes.** The NCAA Division I Academic Cabinet continued its discussion of possible changes to the initial-eligibility and 2-4 transfer requirements. After considering several potential modifications, the cabinet does not recommend changes to the initial-eligibility requirements at this time. The cabinet noted that additional time will allow for full consideration of data not yet available.

   With regard to 2-4 transfer requirements, the cabinet considered key research findings regarding the academic performance of two-year college transfers entering Division I institutions. Based on the data reviewed, the cabinet developed concepts for membership and two-year college input. The cabinet presents the draft concepts as a package for feedback. The package strives to balance principles of increased academic success, simplicity of administration, access to higher education and opportunity for those prospective student-athletes who are academically underprepared. The package includes enhanced academic standards for both qualifiers and nonqualifiers and the concept of a year of academic readiness.

2. **Recommendation for an Alternative Proposal for NCAA Division I Proposal No. 2010-58 – Eligibility, Financial Aid and Playing and Practice Seasons – Summer Academic Preparation and Acclimatization – Men's Basketball.** The cabinet recommends the NCAA Division I Board of Directors consider an alternative proposal for Proposal No. 2010-58. Proposal No. 2010-58, establishes a summer academic preparation and college acclimatization model for incoming and continuing men's basketball student-athletes. The cabinet's alternative proposal increases the requirement of completing three hours of acceptable degree credit during the summer prior to enrollment to six hours.

ACTION ITEMS.

1. **Legislative Items**.

   - **Request for Noncontroversial Legislation to Create an Exception to Full-Time Enrollment for Student-Athletes Engaging in Cooperative Educational Experiences Involving Work Experience.**

     (1) Recommendation. The cabinet recommends the NCAA Division I Legislative Council adopt noncontroversial legislation to specify that a student-athlete engaging in a required cooperative education experience

involving work experience or a student-athlete participating in a cooperative educational experience involving work experience combined with enrollment in at least six credit hours at the certifying institution be exempted from the application of full-time enrollment for competition legislation provided the student-athlete is considered to be enrolled in a full-time program of studies by the certifying institution and otherwise meets all applicable progress-toward-degree requirements.

(2) Effective Date. Immediate.

(3) Rationale. This proposal seeks to incorporate current guidelines that have resulted in the approval of all waivers of this provision filed over the past three years. The recommendations decreases bureaucracy by allowing institutions who have cooperative educational work experience programs to mange full-time enrollment for competition without the need to request a waiver, while maintaining the applicability of other progress-toward-degree requirements.

(4) Estimated Budget Impact. Potential minimal institutional cost savings by eliminating the writing and processing of waiver requests.

(5) Student-Athlete Impact. None.

2. Nonlegislative Items.

- None

INFORMATIONAL ITEMS.

1. Legislative – Comments on Proposals to be Initially Considered by the Legislative Council in January 2011.

a. Proposal No. 2010-12 -- Legislative Process -- Amendment Process – Membership Override of Legislative Changes – Legislative Council or Board of Directors Review – Override Voting. The cabinet supports Proposal No. 2010-52, which would eliminate the requirement that the override voting process on actions taken by the Legislative Council or Board must occur at the annual Convention. The cabinet noted the potential institutional cost savings, as well as the potential opportunity for a more representation in the voting process. The cabinet encouraged the NCAA Division I Administration Cabinet and

Legislative Council to consider using technology to allow for continued discussion and comments regarding override proposals (e.g., webcasting or video conferencing).

b. **Proposal No. 2010-25 – Amateurism and Awards, Benefits and Expenses – Use of Agents – Benefits, Gifts and Services – Career Counseling and Internship/Job Placement Services.** The cabinet opposes Proposal No. 2010-25, which would allow a student-athlete to use career counseling and internship/job placement services available exclusively to student-athletes, provided the student-athlete is not placed in a position in which the student-athlete uses his or her athletics ability. The cabinet noted the opportunity for student-athletes to use career counseling and internship/job placement services available to students generally at any time. Further, the cabinet noted the additional monitoring associated with internship/job placement and potential for placement based exclusively on athletics reputation contrary to extra benefit or preferential treatment legislation.

c. **Proposal No. 2010-35 – Recruiting – Basketball Evaluations – Women's Basketball – Nonscholastic Evaluations During Academic Year – National Standardized Testing Weekends.** The cabinet supports Proposal No. 2010-35, which would specify that in women's basketball, evaluations at nonscholastic events during the academic year evaluation period shall not occur during any weekend (including Friday, Saturday and Sunday) during which the PSAT, SAT, PLAN or ACT national standardized tests are administered. The cabinet noted that the change alleviates potential conflicts that may result in a prospective student-athlete having to forego an opportunity to take a standardized test.

d. **Proposal No. 2010-52 – Eligibility – Graduate Student/Postbaccalaureate Participation – One-Time Transfer Exception – Final Year of Eligibility – Nonrenewal of Athletics Aid At Previous Institution – Baseball, Basketball, Football and Men's Ice Hockey.** The cabinet supports Proposal No. 2010-52, which allows a graduate student enrolled in an institution other than the institution from which he or she previously received a degree to participate in intercollegiate athletics, provided the student-athlete meets the conditions of the one-time transfer exception (other than the sport restrictions), has one season of competition remaining and the student-athlete's previous institution did not renew his or her athletically related financial aid. The cabinet noted that allowing student-athletes who have graduated and are in their last year of eligibility the opportunity to transfer and use the one-time transfer exception when their previous institution has chosen not to renew athletics aid is in the best interest of student-athlete well-being. Further, the cabinet noted the limited applicability of

the proposal due to the threshold requirements and noted that creating this exception is a less bureaucratic option to the current waiver processes.

e. **Proposal No. 2010-53 – Eligibility – Seasons of Competition: Five Year Rule – Delayed Enrollment – Seasons of Competition – Sports Other Than Men's Ice Hockey and Skiing – Exception – National/International Competition.** The cabinet supports Proposal No. 2010-53, which would specify that in sports other than men's ice hockey and skiing, a prospective student-athlete's participation in specified organized national/international competition shall be exempted for a maximum of one year from the application of the delayed enrollment, seasons of competition legislation. The cabinet noted that this legislation affords prospective student-athlete's the ability to adequately pursue the Olympics (or other elite international competition). The cabinet encourages the NCAA Division I Amateurism Cabinet to examine delayed enrollment and elite tryout legislation on a global level to ensure consistency of application.

f. **Proposal No. 2010-54 – Eligibility – Seasons of Competition: Five-Year Rule – Hardship Waiver – First Half of Playing Season Calculation – Tennis.** The cabinet opposes Proposal No. 2010-54, which would specify that the first half of the season calculation for purposes of a hardship waiver in the sport of tennis be based on the number of days in the season that concludes with the NCAA championship. The cabinet noted that fall competition in the sport of tennis does count in the consideration for individual qualification for the NCAA championship. The cabinet did not see a compelling reason to create an exception to the application of the hardship waiver for the sport of tennis.

g. **Proposal No. 2010-57 – Eligibility – Freshman and Transfer Academic Requirements – Participation Prior to Certification – Recruited Student-Athlete – 21-Day Period.** The cabinet opposes Proposal No. 2010-57, which would increase the temporary certification period for a recruited student-athlete from 14 days to 21 days. The cabinet recommends that the sponsor modify Proposal No. 2010-57 to allow for the continuation of expenses incidental to participation during the extended certification period, but not allow for practice beyond the current 14-day period. The cabinet would support the proposal if modified as it addresses student-athlete well-being concerns. The cabinet noted the high volume of certifications processed by the NCAA Eligibility Center, but also noted delays in certification due to circumstances within the control of the recruited prospective student-athlete and institution. The cabinet noted that the proposal as written may limit improvements relative to timely submission of required certification documentation.

h. **Proposal No. 2010-58 – Eligibility, Financial Aid and Playing and Practice Seasons – Summer Academic Preparation and Acclimatization – Men's Basketball.** The cabinet opposes Proposal No. 2010-58 as written, which would establish a summer academic preparation and college acclimatization model for incoming and continuing men's basketball student-athletes. Specifically, the cabinet does not support requiring enrollment in six hours during the summer prior to full-time enrollment while only requiring successful completion of three. The cabinet requests the Board consider an alternative proposal for Proposal No. 2010-58. The cabinet generally supports the overall package of elements outlined in this proposal; however, the cabinet's alternative proposal increases the requirement of completing three hours of acceptable degree credit outlined in the proposal to six hours. The cabinet noted that limiting successful completion to three hours for incoming student-athletes does not provide the appropriate academic foundation regarding the pursuit of successful completion of courses undertaken. The cabinet does support the other components of the proposal and noted a summer academic preparation and college acclimatization model will have a positive impact on the men's basketball cultural.

i. **Proposal No. 2010-59 – Eligibility – Progress-Toward-Degree Requirements – Eligibility for Competition – Fulfillment of Credit Hour Requirements – Fall Term Academic Requirement for Future Competition – Football.** The cabinet supports Proposal No. 2010-59, which would specify that a football student-athlete who does not successfully complete nine semester hours or eight quarter hours of academic credit during the fall term and earn the NCAA Division I Academic Progress Rate (APR) eligibility point for the fall term shall not be eligible to compete in the first four contests against outside competition in the following playing season. Further, to specify that the student-athlete may regain eligibility to compete in the third and fourth contests of that season, provided he or she successfully completes at least 27 semester hours or 40 quarter hours of academic credit before the beginning of the next fall term. The cabinet noted data that demonstrates the importance of football student-athletes earning nine credits during the fall term in relation to likelihood of graduation. Further, the cabinet noted the importance of maintaining a level of ineligibility for contests as a means to facilitate behavior change during the fall term.

j. **Proposal No. 2010-61 – Financial Aid – General Principles – Eligibility of Student-Athletes for Institutional Financial Aid – Exception – Part-Time Enrollment After Exhausted Eligibility.** The cabinet supports Proposal No. 2010-61, which would specify that an institution may provide institutional financial aid to a student-athlete who has exhausted eligibility and is enrolled in less than a minimum full-time program of studies, provided the student-athlete is carrying the courses necessary to complete degree requirements, or the student-

athlete is carrying all the degree-applicable courses necessary to complete his or her degree requirements that are offered by the institution during that term. The cabinet noted the promotion of student-athlete well being by providing an additional opportunity for a student-athlete to receive athletics aid without the need to engage in unnecessary enrollment as a full-time student and/or submission of a waiver. The cabinet also noted the lack of competitive equity concerns since the proposal only applies to student-athletes who have exhausted eligibility.

k. **Proposal No. 2010-73 – Financial Aid – Counters and Equivalency Computations – Required Grade-Point Average to Qualify for Exemptions of Counter Status and Countable Institutional Aid – Reduction from 3.300 to 3.000.** The cabinet supports Proposal No. 2010-73, which would specify that in football and basketball, the necessary cumulative grade-point average at the certifying institution to meet the "institutional academic aid only" exception to counter status be reduced from 3.300 to 3.000; further, to specify that the necessary cumulative transferable grade-point to exempt institutional financial aid awarded to transfer student-athletes and institutional academic scholarships based solely on the recipient's academic record at the certifying institution from team limits be reduced from 3.300 to 3.000. The cabinet noted the benefit of maintaining consistency amongst exemptions and the establishment of a national standard generally in line with institutional thresholds.

l. **Proposal No. 2010-86 – Playing and Practice Seasons – General Playing Season Regulations – No Missed Class Time in Conjunction with Nonchampionship Segment Competition – Baseball, Cross Country, Field Hockey, Lacrosse, Soccer and Volleyball.** The cabinet supports Proposal No. 2010-86, which would specify that in baseball, men's and women's cross country (without indoor or outdoor track and field), field hockey, men's and women's lacrosse, men's and women's soccer, and men's and women's volleyball no class time shall be missed in conjunction with competition during the nonchampionship segment, including activities associated with such competition (e.g., travel and other pregame or postgame activities). The cabinet noted additional time available for academic focus and the potential for student-athlete academic improvement by limiting athletic time demands during the nonchampionship segment.

m. **Proposal No. 2010-87 – Playing and Practice Seasons – Nonchampionship Segment – Travel Restrictions – Cross Country, Field Hockey, Soccer, Softball and Volleyball – Hawaii of Alaska Exception – Once in Four Years.** The cabinet supports Proposal No. 2010-87, which would specify that in men's and women's cross country (for institutions without indoor or outdoor track and field), field hockey, men's and women's soccer, softball and men's and women's

volleyball, once every four years, an institution may use any form of transportation for travel to Hawaii or Alaska for nonchampionship segment competition. The cabinet noted the potential alleviation of athletics time demands on student-athletes in Alaska and Hawaii during the nonchampionship segment and the corresponding additional time for academic focus. Further, the cabinet noted the limited impact on the athletics time demands of student-athletes from other institutions due to the once in four year component of the exception.

n. Proposal No. 2010-88 – Playing and Practice Seasons – Nonchampionship Segment – Cross Country, Field Hockey, Women's Lacrosse, Soccer, Softball and Volleyball – Two Dates of Competition – One Away-From Home Date. The cabinet opposes Proposal No. 2010-88, which would specify that in men's and women's cross country, field hockey, women's lacrosse, men's and women's soccer, softball, and men's and women's volleyball an institution is limited to two dates of competition during the nonchampionship segment, of which only one date may be an away-from-home. The cabinet noted that athletics time demands may be limited through more effective means, including the elimination of missed class time. Finally, the cabinet noted reduction of dates of competition may result in increased hours of competition during the remaining dates resulting in student-athlete welfare concerns.

o. Proposal No. 2010-99 – Playing and Practice Seasons – Foreign Tours and Competition – No Institutional or Conference Foreign Tours. The cabinet opposes Proposal No 2010-99, which would specify that an institution or conference shall not sponsor or participate in a foreign tour. The cabinet noted the cultural and academic benefits associated with travel to foreign countries and the limited ability for student-athletes to engage in experiences abroad due to their athletics commitments. The cabinet noted the ability of member institutions to ensure academic and cultural components are incorporated into athletic foreign tours.

2. Nonlegislative.

a. Review of Division I Academic Eligibility Requirements.

Background.

In the most recent academic reform efforts, the Board implemented significant and sweeping measures designed to support student-athletes in their academic pursuits. Specifically, the Board adopted enhanced academic eligibility requirements, implemented measurements of academic performance and instituted

a system of recognition for high achievers and penalties for academic underperformance. These initiatives were developed for the specific purpose of increasing student-athlete graduation rates and the Board committed to future evaluations of the effectiveness of these measures.

To this end, the cabinet is responsible for evaluating the effectiveness of academic eligibility standards, including initial-eligibility and transfer regulations. The cabinet continued its discussion of possible changes to initial-eligibility and two-year college transfer standards. These discussions are preliminary and the cabinet will seek feedback from the membership, governance structure, and two-year college community over the next several months before drafting proposed legislation. The cabinet anticipates sponsoring legislation for the 2011-12 legislative cycle regarding changes to the 2-4 transfer student requirements.

The cabinet will review all feedback and comments it receives on the proposed 2-4 transfer concepts during its February meeting. Comments and suggestions may be provided to NCAA staff liaisons Jennifer Strawley and Diane Dickman.

Lastly, the cabinet has spent considerable time reviewing data in its efforts to thoughtfully consider possible changes to either initial-eligibility or 2-4 transfer requirements. The data has been significant, informative, and the basis for many of the concepts noted in this report.

Initial-Eligibility Standards.

Goals and Principles.

The Academic Cabinet's goals for the current review of the initial-eligibility standards are summarized as follows:

(1) Strive to maximize the first-year academic success of student-athletes, which is strongly predictive of eventual graduation from college;

(2) Preserve institutional responsibility for admissions decisions for prospective student-athletes; and

(3) Encourage prospective student-athletes to balance their self-identities as students and athletes.

The Academic Cabinet's guiding principles for its review of initial-eligibility standards are summarized as follows:

(1) Initial-eligibility standards should strive to maximize first-year college academic success, putting student-athletes on track to graduate in a reasonable timeframe while minimizing adverse impact on minority and low-income prospective student-athletes.

(2) NCAA rules shall be minimally acceptable standards, with continued reliance on member institutions to make admissions decisions that are most appropriate for determining academic success locally.

(3) Consideration should be given to the most recent NCAA academic data, changing secondary school standards and the national secondary school environment.

(4) Any new standards should be relatively simple and nationally applicable to assist prospects and high schools in understanding the rules and to provide for consistent application throughout the United States and abroad.

(5) Changes in initial-eligibility standards should be able to be implemented with relatively minimal increased chance for operational error and little to no increased bureaucracy for member institutions and high schools.

(6) New requirements should not create or expand opportunities for misrepresentation of prospective student-athletes' academic abilities or credentials.

Recommendation Regarding Initial-Eligibility Standards.

After considering several potential modifications, the cabinet determined that at this time, it does not recommend changes to the initial eligibility requirements. The cabinet noted that additional time will allow for full consideration of data not yet available including: (1) The impact of the increase to 16 core courses; (2) Data regarding core course taking patterns which should be available in June 2011; and (3) The impact of the APR and NCAA Division I Academic Performance Program (APP) standards.

The cabinet did note that among current qualifiers, student-athletes with the lowest high school core grade-point averages in aggregate have the lowest academic success in college. Thus, any future change to the initial-eligibility standards could consider increasing the core grade-point average minimum above the current 2.000. The cabinet noted this could be considered in conjunction with

a tiered eligibility standard (e.g., athletics aid and practice based on an established grade-point average and competition based on a higher standard).

Two-Four Transfer Requirements.

Goals and Principles.

In its continued review of 2-4 transfer regulations, the cabinet identified the following goals to guide its review:

(1) Establishment of 2-4 transfer academic requirements that lead to enhanced first-year academic success at the four-year institution.

(2) Establishment of 2-4 transfer academic requirements that improve academic success and graduation of 2-4 college transfer student-athletes at four-year institutions and have these outcomes more closely mirror that of nontransfer student-athletes.

(3) Establishment of 2-4 transfer academic requirements that provide greater opportunity for academically underprepared student-athletes to gain the academic skills and preparation necessary to be academically successful and graduate from a four-year institution.

The cabinet also established the following guiding principles for its review of 2-4 transfer regulations.

(1) Two-four transfer academic requirements should strive to emphasize the requirements which are needed to prepare a student-athlete academically to be successful at an NCAA institution.

(2) Two-four transfer academic requirements should maximize first-year college academic success when transferring to a four-year institution, ensuring that student-athletes are on track to graduate in five years and minimizing adverse impact on minority and low-income student-athletes.

(3) Two-four transfer academic requirements should be based on a standard that data indicate yields similar ineligibility standards to those of nontransfer student-athletes. Specifically, when examining the data, the standards should be set with benchmarks that yield ineligibility rates and APR rates similar to the rates of nontransfer students. These indicators can then be used as means to ultimately predict graduation.

(4) Two-four transfer regulations are minimal standards set for eligibility to compete, receive athletics aid and practice. There is a continued reliance on member institutions to make admissions decisions regarding 2-4 transfers that are appropriate for determining academic success locally.

(5) Data driven decisions used to assist in predicting academic success and eventual graduation should provide overall guidance in any possible changes to the 2-4 transfer regulations.

(6) Changes in 2-4 transfer regulations should consider simplicity of application for member institutions, two-year institutions and two-year college student-athletes. This includes preferring existing, well established academic elements, in lieu of creating new components whenever possible.

(7) The academic skills and preparation of qualifiers and nonqualifiers should be considered in any changes to the 2-4 transfer requirements.

Package of Concepts for Comment.

Two-four transfer regulations should be designed to identify those prospective student-athletes who are academically prepared to be successful at an NCAA institution and foster additional support for student-athletes who are academically underprepared. With this philosophical underpinning, the cabinet considered possible changes to both the qualifier and nonqualifier 2-4 transfer regulations as well as a concept of a year of academic readiness.

These concepts were considered as a package and the cabinet encourages constituents to consider the components together. In total, the concepts presented set minimum standards that reflect the academic preparation needed to succeed at an NCAA Division I institution while also providing opportunities for student-athletes who are academically underprepared on enrollment at a two-year institution sufficient time to meet 2-4 transfer requirements and be academically successful on transfer to an NCAA Division I institution.

***Key Research Findings*.**

The following research findings informed the cabinet's discussions and draft concepts regarding 2-4 transfers.

Finding: Current academic performance of two-year college transfers on entering Division I institutions.

(1) Data indicate that transfer student-athletes from two-year institutions enter Division I institutions with lower high school grades and test scores than any other group of student-athletes.

(2) The 2008-09 APR of two-year college transfers was 926, compared to 971 for student-athletes entering Division I directly from high school and 949 for transfers from four-year colleges.

(3) Two-year college transfers leave college ineligible at higher rates than any other group of student-athletes, in particular, on exhaustion of athletics eligibility.

(4) Although 2-4 transfer graduation rates have trended up in the last decade, they still lag behind those of student-athletes who enter a Division I institution directly from high school.

Finding: Predictive Power of Two-Year College Grade-Point Average.

(1) Data indicate that among two-year college transfers, grade-point average at the two-year institution (whether grade-point average in transferable or overall coursework) is the strongest predictor of first-year academic success at the four-year college.

(2) Predicted ineligibility rates and APR "0/2" rates (students who leave college while academically ineligible) decrease significantly as a function of increased two-year college grade-point average.

(3) For two-year college transfer student ineligibility or APR "0/2" rates to mirror in aggregate those of college freshmen, the current 2.000 transferable grade-point average standard for transfers would have to be increased.

Finding: Academic Success as a Function of High School Academic Qualifier Status.

- Academic performance at the two-year college is more predictive of four-year college success than high school academic performance. Division I academic nonqualifiers out of high school comprise a large portion of the two-year college student-athlete transfer population and tend to present similar academic struggles at the two-year school and subsequent four-year college.

Finding: Physical Education Activity Credits.

- The number of physical education activity courses taken at the two-year college has a statistically significant and independent negative relationship with academic success at the four-year school. In other words, among students with similar two-year college grade-point averages, those students with fewer physical education activity credits tend to have significantly better academic performances in their first year at the four-year institution.

Finding: Impact of Taking Core Academic Courses at the Two-Year College.

(1) Data indicates that student-athlete transfers with more core academic course taking (particularly in science and math) perform better at the four-year institution.

(2) Although 77 percent of nonqualifiers are already completing the combination of six transferable credits of English, three math and three science, 14.7 percent of those who do not take those classes are ineligible at the four-year college by the end of their first year (versus 8.5 percent among those taking the courses). Whereas 4.9 percent of those who complete this core departed the four-year school ineligible by end of the first year, 10.2 percent of those not taking the core credits were academically unsuccessful.

Possible Changes to 2-4 Transfer Student Academic Requirements for Student-Athletes who are Qualifiers.

The cabinet seeks comment on the following concept for qualifiers:

(1) Increase transferable grade-point-average requirement from the current 2.000 to 2.500.

(2) Expand NCAA Division I Bylaw 14.5.4.1.2 to all sports. This is the current men's basketball limitation of two hours of physical education activity courses that may be used to fulfill the transferable degree credit and grade-point average requirements. The exception noted in the bylaw for a physical education degree program or a degree program in education that requires physical education activity courses would be maintained for all sports.

(3) All other 2-4 transfer regulations for qualifiers would remain in place. This includes the student having spent at least one full-time term at the two year college [Bylaw 14.5.4.1-(a)] and satisfactorily completing an average of at least 12 semester or quarter hours of transferable-degree credit [Bylaw 14.5.4.1-(c)] per term.

(4) The increase to the grade point average and the limit on physical education activity courses would also apply to 4-2-4 transfers.

Possible Changes to 2-4 Transfer Student Academic Requirements for Student-Athletes who are Non-Qualifiers.

The cabinet seeks comment on the following concept for nonqualifiers:

(1) Increase transferrable grade-point-average requirement from the current 2.000 to 2.500 for competition purposes only. Although data clearly supports an increased grade-point average, to continue to provide access to higher education for student-athletes who do not meet the increased grade-point average, athletics aid and practice may be provided for student-athletes who achieve the current 2.000 transferable grade-point average and meet all other requirements noted in Item Nos. (2) through (5).

(2) Require completion of the following transferable core curriculum at the two-year institution: six credits of English, three credits of math and three credits of science. This adds three credits of science to the current core requirement [Bylaw 14.5.4.2-(b)].

(3) Expand Bylaw 14.5.4.2.4 to all sports. This is the current men's basketball limitation of two hours of physical education activity courses that may be used to fulfill the transferable degree credit and grade-point average requirements. The exception noted in the bylaw for physical education degree program or a degree program in education that requires physical education activity courses would be maintained for all sports.

(4) Eliminate the current three semester/four quarter attendance requirement [Bylaw 14.5.4.2-(c)].

(5) Continue to require the following: completion of 48 semester or 72 quarter hours of transferrable degree credit [Bylaw 14.5.4.2-(b)]; limitation on the use of hours earned during the summer terms (Bylaw 14.5.4.2.1); completion of an Associate of Arts degree from the two-year institution [Bylaw 14.5.4.2-(a)].

***Year of Academic Readiness for Two Year College Student-Athletes at Two-Year Institutions*.**

Background.

Representatives from the two-year college community have indicated that for certain student-athletes who enroll at the two-year institution academically underprepared, it is extremely difficult for the student-athlete to successfully complete the courses needed to meet NCAA transfer standards or needed to ensure the student-athlete is academically prepared to transfer to an NCAA Division I institution. Specifically, student-athletes who need significant remediation or courses taught at a level below those transferable to an NCAA institution are sometimes attending two-year colleges part time for a semester or two in order not to trigger the "NCAA clock." The year of academic readiness provides an alternative path for academically underprepared student-athletes that would better prepare the student-athletes for success at an NCAA Division I institution. The year of readiness would allow students to receive some forms of financial aid by attending a two-year college full time (e.g., Pell Grants) and taking remedial and other basic academic courses.

The cabinet seeks comment on the following concept for year of academic readiness.

(1) Provides an option for academically underprepared student-athletes who require a longer period of enrollment at the two-year institution in order to be academically prepared for enrollment at an NCAA Division I institution.

(2) Occurs during the student-athletes initial year of college enrollment which for this purpose must occur at a two-year institution.

(3) Prohibits competition during the first year of collegiate enrollment at the two-year institution.

(4) For such students the start of their five-year clock would be delayed during the first year of enrollment at the two-year institution for the purposes of the five-year period of eligibility and purposes of progress toward degree.

(5) The cabinet did not determine how student-athletes would be identified for this option. The cabinet considered the following possible triggers that would permit the year of academic readiness: (a) Enrollment in a

specified number of remedial hours; (b) Status as a nonqualifer; (c) Some other academic identification; or (d) Lack of competition during the first year of two-year college enrollment. The cabinet determined that it was important to obtain input from the two-year college community and the membership on this issue before finalizing a recommendation.

Rationale for Two-Year Transfer Concepts.

In summary, the cabinet presents these two-year transfer concepts for membership and two-year college community feedback before it finalizes any recommendations. The cabinet noted that this initial package of concepts strives to balance principles of increased academic success; simplicity of administration; access to higher education; and opportunity for prospective student-athletes who are academically underprepared. The cabinet will consider all input it receives during its February meeting.

The cabinet based its concepts on research and some of those key findings have been presented. Key elements of the package such as an increased grade-point average requirement, reduction in physical education activity courses, a core curriculum requirement and a year of academic readiness result in a balanced set of standards that will meet the established goals and principles.

b. **Discussion of Issue Coordination amongst Cabinets/Councils.** In reviewing the update from the Division I Communications and Coordination Committee, the cabinet noted the predominance of the report out function of this committee. The cabinet discussed options regarding better use of this group as a discussion forum in light of current issues that may impact several cabinets/councils. Suggestions regarding better facilitation of this goal included the use of written summaries to allow for a segment of committee meeting time to be devoted to questions raised by each cabinet/council, as well as a recommendation of an in-person meeting of cabinet/council chairs.

c. **Discussion of Cabinet and Council Representation.** The cabinet discussed the need to ensure appropriate representation of faculty athletics representatives and directors of athletics on all cabinets, councils and committees. The cabinet noted the concerns raised by the administrative cabinet in meeting these requirements and discussed methods to better facilitate the development of an adequate pool of candidates for the Administrative Cabinet. The cabinet discussed options regarding better education of cabinet/council roles with potential candidates to limit self-selection away from cabinet/council positions, development of a process of colleague identification by current cabinet/council members as a means of augmenting the candidate pool, and engagement of groups such as the IA FAR

and FARA to develop additional strategies to engage potential cabinet/council candidates.

d. **Results of Comprehensive Academic Support Services Survey. The cabinet reviewed the results of a comprehensive study of academic support resources and practices for student-athletes at Division I institutions.** The cabinet reviewed the results of a comprehensive study of academic support resources and practices for student-athletes at Division I institutions. The cabinet noted the relationship between institutional academic support budgets and services and year-end cumulative grade point-average. The variation in first-year academic outcomes is largely explained by the incoming individual academic characteristics and demographics of the student-athlete. It is important to note that while the data demonstrate the importance of the individual in their outcomes, there still is evidence that institutional behavior, including budget, can have an effect on student outcomes. Full survey results are available in the cabinet's materials.

e. **Report from the NCAA Eligibility Center.** The cabinet received its annual update from the NCAA Eligibility Center, including an overview of academic certification activity to date for the 2010-11 academic year and the implementation of policies and operations related to recently adopted legislation (e.g., Proposal Nos. 2008-21 and 2009-64). In addition, the NCAA Eligibility Center staff noted processing efficiencies, including improvements in Institutional Request List management by member institutions and the continued impact of missing or incomplete information on the processing of academic certification.

f. **Review of Legislation Regarding Co-Ops, Internships, and Student-Teaching.** The cabinet noted that the legislation should appropriately distinguish between cooperative educational exchange programs and cooperative education programs involving work experience and requested an editorial revision of the bylaws to reflect this distinction. Additionally, the cabinet noted the variety of terminology used to describe similar programs across member institutions and requested an editorial revision to include internships, practicums, and student teaching to applicable legislation referencing cooperative education programs involving work experience. Finally, the cabinet reviewed waiver requests for relief of the 18/27 hour requirement citing cooperative educational experience involving work experience. The cabinet supported the continued practice of granting these waivers when misadvisement provided from the institution results in the student-athlete not meeting the 18/27 hour requirement.

g. **Results of Core-Course Requirements National Review.** NCAA research staff provided the cabinet with data regarding a review of state high school graduation credit requirements and course requirements/recommendations among Division I

member institutions for student admission in comparison to current NCAA core course requirements for initial-eligibility certification. Results indicated some variability, but a significant majority of states have graduation requirements that meet or exceed the number of NCAA core-course credits required and in specific subject areas for initial-eligibility certification. Similar results were noted regarding student admission course requirements/recommendations. It was also noted that there is considerable variation in the number of high school core courses available to students based on certain demographic characteristics of the school.

Committee Chair: Carolyn Callahan, University of Virginia, Atlantic Coast Conference
Cabinet Liaisons: Diane Dickman, Academic and Membership Affairs
Alex Smith, Academic and Membership Affairs
Jennifer Strawley, Academic and Membership Affairs

NCAA Division I Academic Cabinet Initial Recommendations Regarding Initial Eligibility and Two-Year College Transfer Standards

October 2010

NCAA Division I Board of Directors/President's Advisory Group

Contents

- Academic Cabinet recommendations regarding initial eligibility.
- Key research findings related to initial eligibility.
- Goals and principles of a review of academic requirements for two-year college transfers.
- Research related to two-year college transfers.
- Concepts related to two-year college transfers being developed by cabinet.

Initial Eligibility

- Cabinet does not recommend any change to initial-eligibility standards at this time.
- The cabinet noted that additional time will allow for full consideration of data not yet available including:

  (1) The impact of the increase to 16 core courses;

  (2) Data on core-course taking patterns, which should be available June 2011; and

  (3) The impact of the NCAA Division I Academic Progress Rate (APR) and NCAA Division I Academic Performance Program (APP) standards.

NCAA Research

Initial-Eligibility Modifications Discussed

- Core course changes.
- Change slope of sliding scale.
- Change coordinates of sliding scale.
- Impose a floor on high school core GPA or test score.
- Take an “aggregate risk” approach (e.g., “banding”).
- Create a tiered model in which student-athletes could receive aid but not compete.

Summary of Recent Research on Current Initial Eligibility Standards

- As a function of high school core GPA and ACT/SAT score, the two academically worst performing subgroups of student-athletes are: (a) those SAs with initial-eligibility profiles that put them below the current sliding scale but who receive waivers (yellow area on slide 5) and (b) those SAs who meet the current standard but with low GPAs (e.g., between 2.0 and 2.5, area shown in red).

- Given these data, it is expected that increasing the core GPA minimum above the current 2.0 would lead to better aggregate academic outcomes in Division I (see slide 7).

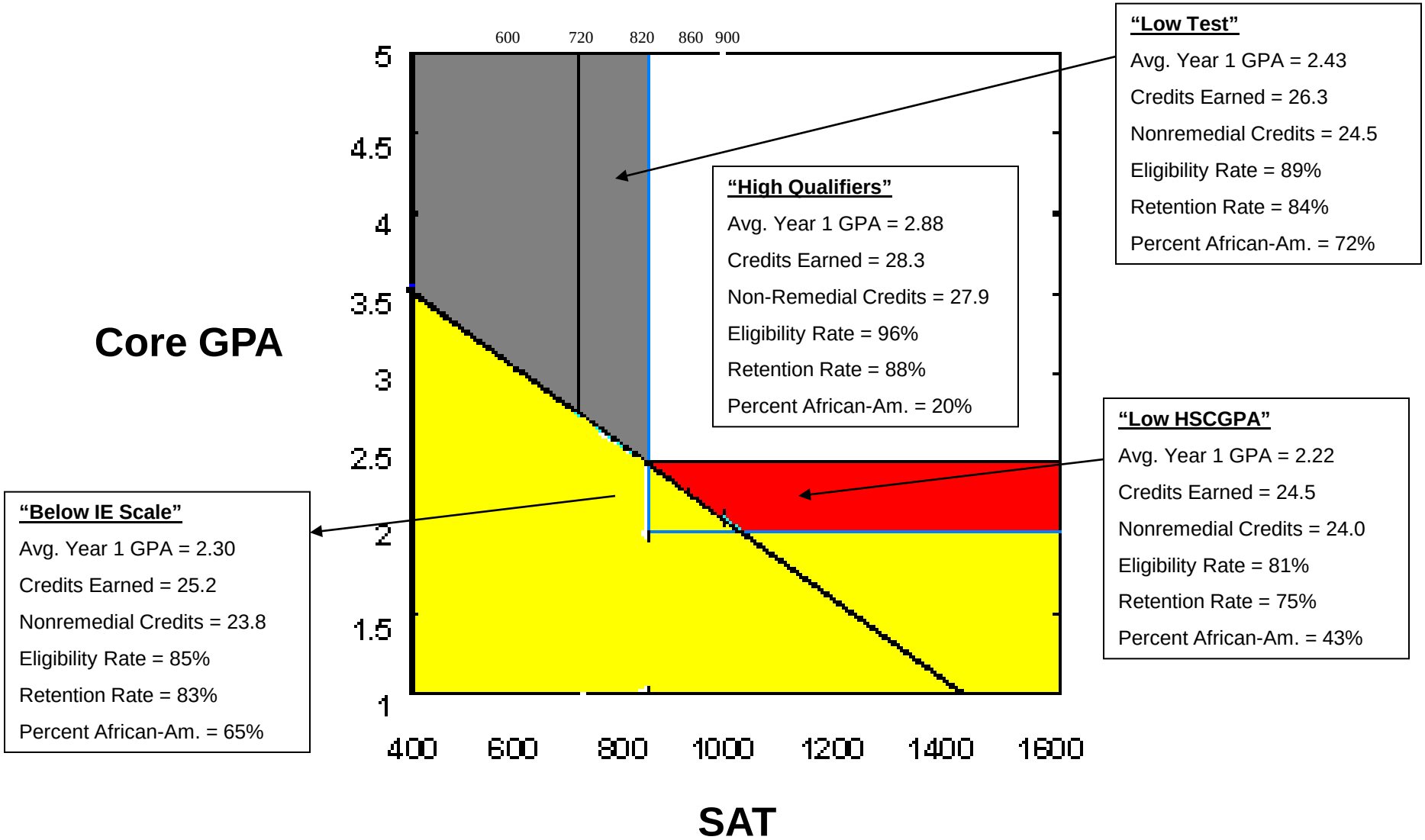
- Currently, approximately 6% of entering freshmen present a core GPA below 2.5. In men's basketball, 16% of freshmen enter with a GPA below that mark (21% among African-American men's basketball players), while in football 12% (16% among African-Americans) fall below a 2.5 core GPA. See slide 6 for more detail.

- Given potential impact, an elevated core GPA could be considered in conjunction with a tiered eligibility standard (e.g., athletics aid and practice based on the established GPA and competition based on a higher standard).

NCAA Research

First-Year Academic Performance of Low-Test Versus Low-GPA Qualifiers in Division I

(2007-08 Division I Freshmen)



Projected Impacts of Various GPA-Based Eligibility Rules

(Entering Division I Freshmen 2006-07)

	Impact Rates				
	Current	GPA < 2.25	GPA < 2.5	GPA < 2.75	GPA < 3.0
Overall	87 (0.3%)	364 (1.5%)	1,497 (6.0%)	3,797 (15.3%)	6,527 (26.2%)
Men	49 (0.4%)	292 (2.3%)	1,171 (9.1%)	2,854 (22.3%)	4,591 (35.8%)
Women	38 (0.3%)	72 (0.6%)	326 (2.7%)	943 (7.8%)	1,936 (16.0%)
African American	42 (0.7%)	168 (2.9%)	736 (12.7%)	1,853 (32.0%)	2,952 (50.9%)
White	38 (0.2%)	168 (1.0%)	652 (3.9%)	1,649 (10.0%)	3,043 (18.4%)

Numbers = 2006-07 freshmen student-athletes below that GPA cut-off.

Percentages = percentage of 2006-07 freshmen below that GPA cut-off.

Freshman Academic Outcomes for Student-Athletes Meeting Various GPA-Based Eligibility Standards

(Entering Division I Freshmen 2006-07)

	Outcomes in Group Meeting GPA				
	Current	**2.25**	**2.50**	**2.75**	**3.00**
Retention Rate	87.9%	88.0%	88.3%	89.0%	89.7%
Eligibility Rate	94.6%	94.7%	95.2%	96.2%	97.0%
Percent “0/2”	3.0%	2.9%	2.6%	2.1%	1.6%
Freshman GPA	2.84	2.85	2.88	2.94	3.01
Total Credits Earned	28.2	28.2	28.4	28.7	28.9
Nonremedial Credits	27.7	27.8	27.9	28.3	28.7

DISCUSSION

Initial Eligibility

Goals of a Review of Academic Requirements for Two-Year College Transfers

- Establishment of academic requirements for two-year college transfers that:

  (1) Lead to enhanced first-year success at the four-year institution;

  (2) Improve academic success and graduation from the four-year institution;

  (3) Result in outcomes closely mirroring those of nontransfers;

  (4) Provide greater opportunity for academically underprepared student-athletes to gain academic skills needed to succeed and graduate from a four-year school.

NCAA Research

Principles of Review

- Strive to emphasize requirements needed to prepare student-athletes for academic success at a four-year college.
- Maximize first-year college success, ensuring that student-athletes are on track to graduate within five years.
- Minimize adverse impact.
- Be research based and yield ineligibility rates similar to nontransfers.
- Serve as minimum standards so NCAA members can continue to make admissions decisions.
- Consider simplicity of application and understanding by all involved.

NCAA Research

Cabinet's Draft Concepts on Academic Requirements for Two-Year College Transfers

- The cabinet noted that this initial package of concepts strives to balance principles of increased academic success, simplicity of administration, access to higher education and opportunity for prospective student-athletes who are academically underprepared.

- Concepts Cabinet is seeking feedback:

  (1) Enhanced standards for qualifiers.

  (2) Enhanced standards for nonqualifiers.

  (3) Year of academic readiness at two-year institution.

NCAA Research

Academic Outcomes among Transfer Students in Division I

	Nontransfers Only	4-Year Transfers	2-Year Transfers
Average High School Core GPA	3.36	3.25	3.00
Average High School Test Score	1070	1027	949
APR (2008-09)	971	949	926
APR "0/2s" (2008-09 AY)	2.2%	3.8%	5.5%
APR Exhausted Eligibility "0/2s" (2008-09)	2.4%	4.3%	7.6%
GSR (2002- Cohort)	80%	77%	65%

NCAA Research

Summary of Key Research Findings on Academic Performance of Two-Year College Transfers

- Two-year college transfer students enter Division I institutions with lower high school grades and test scores than other groups of students.

- Two-year college transfers experience APR problems and leave college ineligible at higher rates than any other group of student-athletes.

- Graduation rates for these transfer student-athletes lag behind those of student-athletes who enter a Division I institution from high school.

NCAA Research

Regression Prediction of First-Year GPA in Division I for Two-Year College Transfers in 2008-09

Outcome=GPA1	Linear Regression	
	Beta wt	p < .01
Associate degree earned		ns
Two-year credits transferred		ns
English credits transferred		ns
Math credits transferred		ns
Science credits transferred	.082	*
PE credits transferred	-.065	*
Transfer GPA	.500	*
Attended multiple two-year colleges		ns
High school initial-eligibility status		ns

Notes: Model r-square = .31.

Percent of Two-Year College Transfers Ineligible after First Year at 4-Year College as a Function of Meeting Cut-Point on 2-Year College GPA in Transferred Classes

Transfer GPA Cut	% Currently Below	Year 1 Ineligibility Status for those Above GPA Cut
2.00	(0.6%)	7.7%
2.10	(2.5%)	7.6%
2.20	(5.2%)	7.5%
2.30	(9.8%)	7.3%
2.40	(14.6%)	6.8%
2.50	(21.1%)	6.3%
2.60	(29.8%)	5.5%
2.70	(37.0%)	4.9%
2.80	(45.6%)	4.0%
2.90	(54.2%)	3.3%
3.00	(61.8%)	3.4%

For nontransfers, current aggregate ineligibility rates in these sports are 6.1% for freshmen, 4.9% for sophomores and 3.1% for juniors.

Percent of 2-4 Transfer Nonqualifiers who Earned/ Transferred Minimum Credit Levels in English, Math and Science in 2008-09

	Overall	Men's Basketball	Football	Baseball	Women's Basketball
English - 6 or more earned	88%	87%	82%	92%	94%
Math - 3 or more earned	91%	93%	84%	95%	95%
Science - 3 or more earned	91%	90%	88%	95%	92%
6 English, 3 Math and 3 Science	77%	76%	68%	85%	83%
English - 6 or more transferred	80%	79%	67%	89%	92%
Math - 3 or more transferred	76%	78%	60%	89%	87%
Science - 3 or more transferred	89%	86%	86%	93%	91%
6 English, 3 Math and 3 Science	61%	59%	43%	76%	74%

First-Year Outcomes at the Four-Year Institution for Two-Year College Nonqualifiers as a Function of Earning 6 English, 3 Math and 3 Science Credits

	Earned 6 English, 3 Math and 3 Science	Did Not Earn 6 English, 3 Math and 3 Science
First-Year Ineligibility Rate	8%	15%
First-Year “0/2” Rate	5%	10%

NCAA Research

PE Activity Credits Earned and Transferred by Nonqualifiers from Two-Year Colleges

PE Activity Credits	% Earning	% Transferring
0-2	16%	25%
3-5	21%	25%
6-8	20%	18%
9-11	14%	11%
12+	29%	21%

NCAA Research

Concepts for Comment - QUALIFIERS

- Increase transferable GPA floor from 2.0 to 2.5.
- Expand PE activity course limit of two credits to ALL sports (currently applies only to men's basketball).
- All other current requirements would remain in effect.

Concepts for Comment - Nonqualifiers

- Increase transferable GPA from 2.0 to 2.5 (for competition purposes only – athletics aid and practice to be determined).
- Expand PE activity course limit of two credits to ALL sports (currently applies only to men's basketball).
- Require completion of transferable core courses as follows: three math, three science, six English. Science would be a new requirement.
- Eliminate current three-semester/four-quarter attendance requirement.
- All other current requirements would remain in effect (e.g., earn A.A. degree, 48-transferable credits etc).

NCAA Research

Concepts for Comment - Year of Academic Readiness

- Provides an alternative path for academically underprepared student-athletes;
- Year would occur at two-year college during first year of full-time collegiate enrollment;
- No competition during this year; and
- Some to-be-determined “trigger.”
- NCAA “clock” would not start until after year of academic readiness. Provides additional time to meet transfer and progress-toward-degree requirements.
- Must attend two-year college full time for three years.

NCAA Research

Year of Academic Readiness
(continued)

- Trigger could be:

  (1) Number of remedial hours taken year one;

  (2) Nonqualifier status;

  (3) No competition; or

  (4) Other.

Timeline for Finalizing Transfer Concepts

- *September 2010:* Cabinet develops initial concepts for feedback.
- *October 2010 through February 2011:* Concept reviewed; comments provided by national two-year college associations, NCAA membership and governance bodies, faculty and coaches associations and others.
- *February 2011:* Cabinet considers all feedback, amends concepts, seeks additional comments.
- *March through June 2011:* Opportunity for additional feedback.
- *June 2011:* Cabinet finalizes legislative proposals for 2011-12 legislative cycle.
- Potential legislation adopted April 2012, or earlier.

NCAA Research

DISCUSSION

Two-Year College Transfers

2201 Richard Arrington Blvd. North
Birmingham, AL 35203-1103
205.458.3000

October 11, 2010

Mark Emmert, President
National Collegiate Athletic Association
P.O. Box 6222
Indianapolis, IN 46206-6222

Dear Mark:

Thank you for joining the Collegiate Commissioners Association (CCA) meeting in Chicago, and for the opportunity to discuss a wide range of topics affecting higher education and intercollegiate athletics.

Following your departure, the CCA agenda included a review of matters related to the men's basketball recruiting culture. While there are many opinions, the commissioners expressed significant concern about the summer recruiting opportunities in men's basketball, the emergence of increased summer school enrollment during a time when coaches are involved in off-campus recruiting activities, and the development of new methods for securing information related to prospective student-athletes. Following discussion of potential solutions, the CCA voted overwhelmingly to support the following request:

> *Due to ongoing concerns associated with the summer men's basketball evaluation period, including the need for coaches to engage with their prospective student-athletes enrolled in summer school, the CCA requests the Division I Board of Directors sponsor legislation during the 2010-11 legislative cycle that will eliminate the summer evaluation period in men's basketball, effective immediately.*

Conference commissioners also recognize the need for a recruiting calendar to provide sufficient opportunity for evaluation of and communication with prospective student-athletes. As a result, the commissioners unanimously support the following recommendation:

> *Associated with the CCA's support for the immediate elimination of the summer evaluation period in men's basketball, the commissioners also request the Division I Board of Directors direct the appropriate groups to consider and develop a new recruiting model for men's basketball, which will be considered during an upcoming legislative cycle.*

We appreciate your consideration of these recommendations.

Sincerely,

Karl Benson
CCA President and Commissioner of the Western Athletic Conference

cc: Division I Conference Commissioners
David Berst, Division I Vice-President, NCAA
Jackie Campbell, Director of Division I, NCAA
Greg Shaheen, Executive Vice President of Championships and Business Strategies, NCAA

KB/gs

Preliminary Update from the NCAA Committee on Infractions/Infractions Appeals Committee Clarification Task Force[1] (October 2010)

1. Charge of the task force.

This working group was comprised of representation from the NCAA Division I Board of Directors, Committee on Infractions (COI), Infractions Appeals Committee (IAC) and national staff to review those recommendations that were implemented as a result of the 2006 enforcement review (Duff Report). A particular area of focus for this working group is on those recommendations that addressed procedures for conducting hearings of the COI and the IAC, as well as reviewing and clarifying the relationship between COI and IAC.

2. Composition of the task force.

The task force members included:

- Scott Bearby, NCAA interim vice president of legal affairs/general counsel.
- David Berst, NCAA vice president of Division I.
- Bernard Franklin, executive vice president of membership and student-athlete affairs.
- Nathan Hatch, Wake Forest University president (representing Board of Directors).
- Jerry Parkinson, University of Wyoming (representing Committee on Infractions).
- David Price, NCAA vice president of enforcement.
- Naima Stevenson, NCAA director of legal affairs.
- Steadman Upham, University of Tulsa president (representing Board of Directors).
- Wendy Walters, NCAA director of infractions appeals.
- David Williams, Vanderbilt University vice-chancellor and general counsel (representing Infractions Appeals Committee).

3. Consultant's resume.

Edward N. Stoner II is the working group consultant. Stoner performs confidential investigations for management in private sector companies and in higher education institutions. He also provides advice on a variety of campus issues, trains judicial boards and develops effective student affairs policies. Stoner is the author of the nation's most widely used Model Code for college student conduct.

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[1] Please note that this is a preliminary update on the work and select recommendations of the NCAA Committee on Infractions/Infractions Appeals Committee Clarification Task Force. The task force continues to review and discuss the recommendations. A final version of the recommendations will be presented to the Division I Board in January 2011.

Stoner has worked with the leaders of both Fortune 500 companies and a number of colleges and universities for over 30 years. He is a nationally recognized author on legal and campus affairs. On campus, Stoner has worked with many campus constituencies, including faculty committees, boards of trustees, presidents, students, and athletics directors. He has brought his understanding of the complexity of campus social systems to his work with higher education organizations.

Stoner chaired and worked on many committees of the National Association of College and University Attorneys and served as its President and chair of NACUA's Board of Directors. He is a founding member of the Association of Student Judicial Affairs and has taught annually as a faculty member of the ASJA Donald D. Gehring Campus Judicial Affairs Training Institute since its inception in 1993. He presently serves on the advisory council to the California Coalition Against Sexual Abuse (CALCASA).

This broad background in higher education and law makes Stoner an effective counselor on a broad range of campus student affairs and other issues. On campus, he provides a number of additional consulting services that reflect his many years of working with student affairs professionals across the country.

4. Summary of Work.

The task force developed a list of 19 areas and issues which would be discussed by the task force. A consultant was charged with investigating these areas and developing recommendations for the task force to review. In order to get a variety of viewpoints, the consultant interviewed approximately 50 persons including: 11 members of the NCAA Division I Committee on Infractions and seven members of the NCAA Division I Infractions Appeals Committee, including many of the former chairs as well as current members; two university in-house counsel, one member president, two directors of compliance, two conference commissioners, five attorneys from private law firms who regularly represent clients before the Committee on Infractions and Infractions Appeals Committee and members of the NCAA staff (David Berst, David Price, members of the enforcement staff and academic and membership affairs staff, Committee on Infractions director Shep Cooper and Naima Stevenson and Elsa Cole of the general counsel's office) and three representatives of the American Football Coaches Association.

5. Nineteen Areas and Issues.

a. Who is the appropriate group to discuss appeals? (In Division I, it is the appeals coordinator.) Does this inappropriately make the Committee on Infractions a "party" to appeals?

b. Who should have speaking roles on appeal?

c. Is appropriate deference given by the Infractions Appeals Committee to factual and credibility determinations made by the Committee on Infractions?

d. Is appropriate deference given by the Infractions Appeals Committee to penalties imposed by the Committee on Infractions? Do penalties need to be increased in certain circumstances? Is the appellate process appropriately "meaningful"?

e. Should there be a process for prescreening of appeals to determine if there is an appealable issue? If so, how would it be structured?

f. What is the best role of "remand" by the Infractions Appeals Committee to the Committee on Infractions? (E.g., to reconsider factual findings, credibility and or penalties in light of new evidence, to lower (or raise?) penalties, or may penalties never be increased on remand as being unfair to the party appealing? If new evidence is accepted on appeal, "must" the matter be remanded to the Committee on Infractions?).

g. What is the standard for cooperation by individuals and institutions (e.g., should "credit" on penalties be given for extraordinary cooperation or should penalties be enhanced for poor cooperation?)

h. Should the reports issued by the Committee on Infractions include more detailed write-ups on the rationales for findings or for penalties? Should some items be excluded or the report structure modified?

i. Should the size of pleadings or briefs at either the Committee on Infractions or Infractions Appeals Committee stage be limited?

j. Is the new "abuse of discretion" standard used by the Infractions Appeals Committee in reviewing Committee on Infractions penalties working well or should it be changed?

k. Should an academic and membership affairs staff member attend Committee on Infractions hearings as a legislative resource?

l. Lying at a Committee on Infractions hearing: review the proof and process applicable to distinguish it from a disbelieved but spirited defense? (Unethical conduct/enhancement of penalties.)

m. Does one committee have primacy over the other (Committee on Infractions/Infractions Appeals Committee)?

n. "Advantages, challenges and appropriateness of representation by one counsel of all three bodies of the infractions process -- enforcement, Committee on Infractions and Infractions Appeals Committee vs. NCAA as the client."

o. Evaluate the "independence and dependence" of the Committee on Infractions and Infractions Appeals Committee.

p. Bylaw 32.10.5 regarding new evidence -- does it work; need it be improved?

q. Is any training needed?

r. "Education on the work and process of enforcement, Committee on Infractions and Infractions Appeals Committee (including public, membership, committee members and national office staff)."

s. Are there any other concerns about the fairness of the process to members, by either the Committee on Infractions or the Infractions Appeals Committee, and, if so, what solutions are there?

6. Recommendation Highlights.

a. Selection of Committee Members. In selecting new members for the Committee on Infractions and Infractions Appeals Committee, consideration should be given to persons who have completed their service on one committee to serve on the other committee. In selecting Committee on Infractions members, it is important to have members who have on-the-ground understanding of campus compliance. Even allowing for recusals and scheduling conflicts, one should be present on every panel if possible. In selecting Infractions Appeals Committee members, it is important to appoint persons with a legal background who understand and accept the limited role of appellate review. The current composition of the Infractions Appeals Committee "gets this" well; it is also wise to have at least one member with actual experience as an appellate litigator.

These committee member selection suggestions must be balanced with adequately providing the opportunity for new individuals from the membership to serve on these committees. It is not the goal of this recommendation to always "recycle" committee members. The need for new perspectives and experiences on these committees is recognized and valued.

b. Training for Committee on Infractions and Infractions Appeals Committee. The training for new committee members should be expanded. The Committee on Infractions and Infractions Appeals Committee members should each witness the other committee as well as a session of the committee on which s/he is serving. This applies to current members as well as to newly appointed members. For new members, when they prepare for witnessing their own committee for the first time, they should prepare for the process they are about to witness in the same manner as do serving members (read all materials in advance, for example). Additionally, training should include topics such as:

(1) Enforcement staff discussion on how they do their work, typical new issues and new misconducts and major challenges;

(2) Academic and membership affairs staff discuss how they do their work and their role;

(3) NCAA general counsel discuss the role of general counsel and staff attorneys with the two enforcement process committees, and with institutions and involved individuals; also confidentiality rules that apply to counsel (e.g., respecting committee by not sharing documents or questions with other NCAA personnel unless those persons are also serving as counsel to the committee) and their interactions with committees and committee members;

(4) Update on current compliance problems and describing the wide variety of types and sizes of compliance programs on campus. This is important for all Committee on Infractions and Infractions Appeals Committee members but essential for persons who have no background in compliance or whose involvement was some time ago.

(5) Nuts and bolts issues: when do they meet, where, when do they get paperwork, where do they keep it; when can they toss it; how are reports written; how is consent to factual findings achieved; how does the burden of proof work in the absence of agreed-on facts; timelines; note taking; and state open-records laws.

(6) Have experienced members conduct a class on how the Committee on Infractions goes about setting penalties, using a wide variety of hypothetical fact patterns.

(7) Have a class on the history of the development of the Committee on Infractions and Infractions Appeals Committee structure (e.g., Enforcement Review Report October 1991 [Rex Lee Report], Enforcement Audit Report May 2006 [Duff Report]), decisions and important cases, conducted by one of those five persons.

It is important to focus especially on case reports decided under the current bylaws (since January 2008).

c. Interaction between Committee on Infractions and Infractions Appeals Committee. A regular type of interaction should be created so that members of the Committee on Infractions and Infractions Appeals Committee have the opportunity to meet each other and to discuss how each committee can do its job to better interact with the other.

d. Role of the Appeals Coordinators. While other models (such as from civil and criminal courts of law) suggest that it is not necessary for the appeals coordinator to be a member of the Committee on Infractions, the recommendation is to maintain the appeals coordinator as a member of the Committee on Infractions. In this setup, the appeals coordinator (who is a volunteer) learns the methodology used by the Committee on Infractions generally, and in each case, by observing it. The appeals coordinators currently do an excellent job and each attributes it, in part, to their thorough understanding of the Committee on Infractions' work. This makes them more effective advocates. Also, maintaining the appeals coordinator as a member of the Committee on Infractions enables the appeals coordinator to be socialized with the Committee on Infractions and makes this most arduous job a bit more enjoyable, rather than being a lone ranger. Perhaps more importantly, the appeals coordinator is a resource to the Committee on Infractions because any person serving as appeals coordinator must quickly get up to speed reading old Committee on Infractions and Infractions Appeals Committee reports (not done in this way by new Committee on Infractions members) and can give historical perspective to the deliberation process not common to other members.

Bylaw 19.1.1.4 should be revised to match current practice for deliberation. The appeals coordinators do take part in the discussions during deliberations. The oral input of appeals coordinators during deliberations is a much valued factor in the Committee on Infractions' process.

e. Reconsideration of Penalties – Committee on Infractions. Modeled after a proposal made in the Duff Report, the recommendation is to install a process for reconsideration by the Committee on Infractions of penalties before Infractions Appeals Committee appellate review.

Any appeal which challenged penalties would automatically be routed to the Committee on Infractions for reconsideration of the penalties (only). This review could be done in writing only based on the party's written appeal brief. The Committee on Infractions' standard would be to reconsider the penalties and it could

revise them if it thought it appropriate to do so. In other words, the Committee on Infractions would not have to find itself in error but would be free to impose a group of penalties that was, in its judgment, more appropriate. It could choose to leave the original penalties in place. Whether and to what it extent it would explain the new group of penalties would be up to the Committee on Infractions. Thus, the Committee on Infractions could leave the penalties unchanged, with or without a supplemental report. The Committee on Infractions could impose a new set of penalties, with whatever length and detail supplemental report it deemed appropriate.

After reconsideration, the party's appeal on other issues would proceed to the Infractions Appeals Committee and the party could continue its appeal on the penalties as previously submitted or not (thus avoiding the submitting new arguments to the Infractions Appeals Committee that were not addressed by the Committee on Infractions).

The task force will request that the Committee on Infractions assess whether it is feasible to develop and implement a reconsideration of penalties process.

f. Review of Committees' Reports by General Counsel Office. The new general counsel should review the role of an assistant general counsel of the NCAA in reading the reports of the Committee on Infractions and the Infractions Appeals Committee before they are released to the public. According to oral history, it was an unwritten recommendation of the Duff Report that NCAA in-house legal counsel review such reports after they are prepared by the committee. The review would not be for factual accuracy, for substantive improvements, or for writing style, but for a confidential identification by NCAA counsel of any unintended legal issues (e.g., defamation). The new general counsel will want to identify if s/he agrees that this remains an appropriate step to protect the NCAA from liability being inadvertently created by one of the committees (balanced against whatever quasi-judicial immunity a committee might have but which might be negated by legal staff involvement).

7. Next Steps.

The task force will continue to discuss and finalize its recommendations. Both the Committee on Infractions and Infractions Appeals Committee will be provided the opportunity to review all of the recommendations and provide feedback. Final versions of the recommendations will be presented to the Board of Directors in January 2011.

Executive Summary of the Recommendation to Eliminate the Corresponding Membership Category and Further Clarify the Affiliated Membership Category

Issue. The NCAA national office membership team is concerned that selected outside groups and organizations may be submitting membership applications to become NCAA "affiliated" members primarily to benefit from the use of NCAA marks (implicit endorsement). In some instances, it is questionable whether the applicant in fact has a function and purpose directly related to one or more sports in which the Association conducts championships or identifies as an emerging sport. This concern is particularly true as it relates to commercial entities that offer recruiting services to prospective student-athletes and to nonscholastic sports teams like AAU teams.

Recommendation. The membership team recommends the elimination of the "corresponding membership" category noting that the only benefit members in that category receive are the Association's general membership publications and mailings and not the privilege of using the Association's marks. Further, the membership team recommends that the membership requirements for the "affiliated membership" category be defined further to limit the membership to:

1. Coaches and sports associations for sports sponsored by the NCAA, and
2. Associations comprised of college/university administrators.

Finally, the membership team also recommends that the annual fee for the "affiliated membership" category be increased from $225 to an amount that is more appropriate based on the benefits gained by being allowed to use the Association's registered marks.

Current requirements and benefits:

Affiliated Category

- Available to elected nonprofit group or association whose function and purpose are directly related to one or more sports in which the Association conducts championships or identifies as an emerging sport.
- May be represented by one nonvoting delegate at any Convention.
- May use the registered marks of the Association only if approved by the NCAA staff in accordance with guidelines established by the NCAA Executive Committee.

Corresponding Category

- Available to elected institutions, conferences and nonprofit organizations that are not eligible for active, provisional, conference or affiliated membership but wish to receive the Association's general membership publications and mailings.
- Not entitled to any other membership privileges including the right to use the Association's marks.

Membership Team. The membership team is comprised of the following staff members: Dan Calandro, Azure Davey, Steve Mallonee, Jess Rigler, Michelle Vaughn and Katie Willett. David Berst and Jay Rossello were present for this discussion.

The National Collegiate Athletic Association
May 17, 2010 DAC:rlh

NCAA Constitution 3.4 and 3.5 (Affiliated and Corresponding Memberships)

Background. NCAA legal counsel and staff have expressed concern that in recent years that affiliated membership applications have been submitted by groups/organizations (e.g., nonscholastic teams, recruiting services) whose primary interest for using the NCAA marks may not be in the best interest of the Association. Further, there are current affiliated members (e.g., Hispanic College Fund, United States Twirling Association) that do not satisfy the eligibility requirements of the affiliated membership as noted in Constitution 3.4.1 below. (Attached is a list of the groups/organizations in both the affiliated and corresponding membership categories.)

Relevant Articles.

Constitution 3.4 – Affiliated Membership.

Eligibility (3.4.1). Affiliated membership is available to a duly elected nonprofit group or association whose function and purpose are directly related to one or more sports in which the Association conducts championships or identifies as an emerging sport.

Privileges and Voting Rights (3.4.2.1). An affiliated member shall be entitled to be represented by one non-voting delegate at any Convention of the Association and shall have such other privileges as may be accorded to affiliated members by the bylaws of the Association.

Use of Association's Registered Marks (3.4.2.2). An affiliated member may use the registered marks of the Association (the Association's name, logo or other insignia) only if such use is approved by the NCAA staff in accordance with guidelines established by the Executive Committee.

Application (3.4.3.1; Division II – 3.4.3.2)). A group or association desiring to become an affiliated member shall make application on a form available from the national office. A check in the appropriate amount for annual dues shall accompany the application. Should the application fail election, the dues shall be refunded.

Election (3.4.3.2; Division II – 3.4.3.3). Groups or association may be granted affiliated membership by the NCAA president.

Function and Purpose (3.4.4.2). The function and purpose of the affiliated member must be directly related to one or more sports in which the Association conducts championships.

Constitution 3.5 – Corresponding Membership.

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

Privileges (3.5.2). Corresponding members shall receive all publications and mailings received by the general membership of the Association but shall not be entitled to any other membership privileges, including the right to use the Association's name, logo or other insignia.

Application (3.5.3.1; Division II – 3.5.3.2)). Very similar to 3.4.3.1 above.

Election (3.5.3.2; Division II – 3.5.3.3). Eligible institutions, organizations and conferences may be granted corresponding membership by the NCAA president.

Recommended Actions.

1. To reduce potential abuse of NCAA marks by groups/organizations that are not active members of the Association and to clarify the requirements for nonactive membership, the membership team recommends that the "corresponding membership" category be eliminated and that membership in the "affiliated" category be limited to:

   a. Coaches and sport associations for sports sponsored by the NCAA (or that are on the NCAA emerging sport list), and

   b. College/university administrator associations that have a direct connection to either the NCAA or its member institutions (e.g., NACDA, FARA).

2. Increase the annual membership fee from $225 to an amount that is more appropriate based on the benefits gained by being allowed to use the Association's registered marks. (Note: Current membership annual dues are as follows.)

	Institution	Conference	Group/Organizations
Division I	$1,800	$900	
Division II	$900	$450	
Division III	$900	$450	
Affiliated			$225
Corresponding			$225

Rationale.

Potential benefits:

1. Reduce the potential abuse of using NCAA marks and implied "NCAA endorsement" by groups/organizations (e.g., nonscholastic teams, recruiting services) whose primary interest may not be in the best interest of the Association, and

2. Reduce the need to monitor the potential inappropriate activity of these groups/organizations.

Potential negatives:

1. Association will likely lose a portion of the revenue currently received from the membership fees from these two membership categories. The Association currently receives approximately $18,450 annually from this source (70 affiliated members = $15,750; 12 corresponding members = $2,700), and

2. Negative publicity by eliminating "corresponding" membership.

Additional information.

1. If approved by the NCAA Executive Committee, the recommendation would be included in the 2010-11 legislative cycle.

2. Several groups/organizations that currently are either corresponding or affiliated members will likely not satisfy the revised requirements for the affiliated membership category. Examples of groups/associations that likely will not satisfy the requirements are the Hispanic College Fund, the United States Twirling Association, Embry-Riddle Aeronautical University, the Naismith Award, the Jim Thorpe Association, and the Society for the Betterment of the College Athlete and On Focus.

3. If included in the 2010-11 legislative cycle, all groups/organizations that historically have been either an affiliated or corresponding member (e.g., National Association of Basketball Coaches, Division IA Athletics Directors' Association) will be advised in the fall of 2010 that the membership categories might change and that, if approved, each group/organization will be required to complete the application process in the summer of 2011 to renew its membership.

4. Guidelines allowing affiliated members to use the Association's registered marks will need to be established since currently no guidelines exist.

5. The appropriate legislation will be revised to state that "affiliated membership may be approved by the NCAA staff in accordance with guidelines established by the NCAA president."

6. If the corresponding membership category is eliminated, appropriate modifications will need to be made in various sections of the Manual that reference "corresponding membership" as a consequence for failure to meet a membership requirement or obligation of membership.

Other actions considered by not recommended.

Option B. Eliminate both the "affiliated" and "corresponding" membership categories.

Pros

1. Eliminate use of NCAA marks and implied "NCAA endorsement" by groups/associations (e.g., nonscholastic teams, recruiting services) that may not have the best interest of the Association in mind,

2. Since most NCAA publications are available online, no need to send to these type of documents to these groups/associations as is currently provided for in Constitution 3.5.2 , and

3. Allow each division to establish policies relative to "nonvoting" delegates who wish to attend (and possibly speak at) the NCAA Convention.

Cons

1. Potential revenue loss of approximately $18,450 (see Option A above),

2. Loss of educational value and perspectives provided by these types of groups at the NCAA Convention and other venues,

3. Reduced connection with these groups/organizations, and

4. Potential negative publicity created by eliminating membership opportunities.

Option C. Retain both categories but clarify the process (e.g., create process documents and more formal approval process) for administering the membership categories.

Pros

1. Avoid potential negative publicity of eliminating membership opportunities, and

2. Avoid loss of revenue that is generated currently by membership fees paid by these groups/organizations.

Con

- Continued potential abuse of NCAA marks and implied endorsement by these groups/organizations.

Affiliated Members

Official Name	Sport	Administration	Other
Amateur Softball Association	√		
American Association of Collegiate Registrars and Admissions Officers		√	
American Baseball Coaches Association	√		
American Football Coaches Association	√		
American Hockey Coaches Association	√		
American Volleyball Coaches Association	√		
Association of Collegiate Water Polo Coaches	√		
Black Coaches & Administrators		√	
California Community College Athletic Association			√
Central Collegiate Conference (International Track & Field Coaches Association)			√
College Athletic Business Management Association		√	
College Gymnastics Association	√		
College Sports Information Directors of America		√	
College Swimming Coaches Association of America	√		
Collegiate Commissioners Association		√	
Collegiate Rowing Coaches Association	√		
Colorado Women's Sports Fund Association			√
Division IA Athletic Directors' Association		√	
Division II Commissioners Association		√	
Division III Commissioners Association		√	
East Atlantic Gymnastics League	√		
Golf Coaches Association of America	√		
Hispanic College Fund, Inc.			√
Ice Hockey Collegiate Commissioners Association, Inc.	√		
Intercollegiate Men's Lacrosse Coaches Association	√		
Intercollegiate Tennis Association	√		
Jim Thorpe Association, Inc.			√
Minority Opportunities Athletic Association			√
NCAA Division III Track Coaches Association	√		
Naismith Awards			√
National Association Student Financial Aid Administrators		√	
National Association for Girls & Women in Sport			√
National Association of Academic Advisors for Athletics		√	
National Association of Basketball Coaches	√		
National Association of Collegiate Directors of Athletics		√	

National Association of Collegiate Gymnastics Coaches/Women	√		
National Association of Collegiate Women Athletic Administration		√	
National Association of Division III Athletic Administrators		√	
National Athletic Trainers' Association		√	
National Fastpitch Coaches Association	√		
National Field Hockey Coaches Association	√		
National Football Foundation & College Hall of Fame, Inc.	√		
National Golf Coaches Association	√		
National High School Baseball Coaches Association	√		
National High School Federation			√
National Intercollegiate Soccer Officials Association, Inc.	√		
National Rifle Association of America	√		
National Soccer Coaches Association of America	√		
National Strength & Conditioning Association		√	
National Wrestling Coaches Association	√		
Oklahoma City All Sports Association			√
On Focus			√
Society for the Betterment of the College Athlete			√
Southern Independent Conference Officials Alliance		√	
Sun Bowl Association	√		
U.S. Fencing Coaches Association	√		
U.S. Intercollegiate Lacrosse Association	√		
U.S. Synchronized Swimming	√		
U.S. Track & Field and Cross Country Coaches Association	√		
USA Archery	√		
USA Basketball	√		
USA Rugby	√		
USA Track & Field	√		
USA Volleyball Association	√		
USA Water Polo, Inc.	√		
United States Tennis Association	√		
United States Twirling Association			√
Women's Basketball Coaches Association	√		
Women's Basketball Hall of Fame Inc.	√		
Women's Collegiate Sports Association			√
Women's Sports Foundation			√

Corresponding Members

Official Name
Bennett College
Community College of Rhode Island
Embry-Riddle Aeronautical University
Indian River State College
Lee University
Lyon College
Pratt Institute
St. Louis Community College-Meramec
The Apprentice School
The Riekes Center for Human Enhancement
US Bowling Congress
United States Sports Academy
University of the Virgin Islands

ATTACHMENT B
SUPPLEMENT NO. 7
DI Board of Directors 10/10

Proposal Number: 2010-

Title: DIVISION MEMBERSHIP -- AFFILIATED AND CORRESPONDING MEMBERSHIP -- REQUIREMENTS FOR AFFILIATED MEMBERSHIP AND ELIMINATION OF CORRESPONDING MEMBERSHIP

Intent: To eliminate corresponding membership; further to modify the requirements for affiliated membership, as specified.

A. Constitution: Amend 3, as follows:

3 NCAA Membership

3.01 GENERAL PRINCIPLES

3.01.1 Classes of Membership. The NCAA offers ~~*five*~~ **four** classes of membership: active, conference, affiliated~~*, 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.]

[3.02.3.1 through 3.02.3.3 unchanged.]

3.02.3.4 Affiliated Member. An affiliated member is a ~~*nonprofit group or association*~~ **coaches or sports association** whose function and purpose are directly related to one or more sports in which the NCAA conducts championships **or an emerging sport for women, or an association that consists of college/university administrators and has a direct connection to either the NCAA or its member institutions**, duly elected to affiliated membership under the provisions of this article (see Constitution 3.4.3). An affiliated member is entitled to be represented by one nonvoting delegate at any NCAA Convention and enjoys other privileges as designated in the bylaws of the Association (see Constitution 3.4.2).

~~*3.02.3.5 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 unchanged.]

3.2 ACTIVE MEMBERSHIP

[3.2.1 through 3.2.4 unchanged.]

3.2.5 Loss of Active Membership

[3.2.5.1 unchanged.]

3.2.5.2 Removal of Accreditation. If an active member's accreditation is removed by its regional accrediting agency, it shall ~~*be reclassified immediately as a corresponding member*~~ **immediately forfeit its membership in the Association**.

[3.2.5.3 unchanged.]

3.2.5.4 Failure to Satisfy the Academic Performance Program. A member institution may be placed in a restricted ~~*or corresponding*~~ membership category if the institution or its sports team(s) has failed to comply with the established requirements of the academic performance program. (See Bylaw 23.2.1.2.4.)

3.2.5.5 Failure to Address Athletics Certification Problems. The Committee on Athletics Certification may place a member institution in a restricted ~~*or corresponding*~~ membership category if it concludes that the institution has not addressed properly the problems identified pursuant to the athletics certification program of the Association.

[3.2.5.6 through 3.2.5.7 unchanged.]

[3.2.6 unchanged.]

[3.3 unchanged.]

3.4 AFFILIATED MEMBERSHIP

3.4.1 Eligibility. Affiliated membership is available to a duly elected ~~*nonprofit group or association*~~ **coaches or sports association** whose function and purpose are directly related to one or more sports in which the NCAA conducts championships **or an emerging sport for women. Affiliated membership is also available to an association**

that consists of college/university administrators and has a direct connection to either the NCAA or its member institutions.

[3.4.2 through 3.4.3 unchanged.]

3.4.4 Conditions and Obligations of Membership.

[3.4.4.1 unchanged.]

3.4.4.2 Function and Purpose. The function and purpose of the affiliated member must be directly related to one or more sports in which the Association conducts championships **or an emerging sport for women, or must be directly related to either the NCAA or its member institutions**.

[3.4.5 through 3.4.6 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 Privileges. Corresponding members shall receive all publications and mailings received by the general membership of the Association but shall not be entitled to any other membership privileges, including the right to use the Association's name, logo or other insignia. A copy of NCAA Champion magazine shall be sent to each member of the NCAA.*~~

~~*3.5.3 Election Procedures.*~~

~~*3.5.3.1 Application. An entity desiring to become a corresponding member shall make application on a form available from the national office. A check in the appropriate amount for annual dues (see Constitution 3.7.2) shall accompany the application. Should the applicant fail election, the dues paid shall be refunded.*~~

~~*3.5.3.2 Election. Eligible institutions, organizations and conferences may be granted corresponding membership by the NCAA president.*~~

~~*3.5.3.3 Resignation and Re-election to Membership. If a corresponding member resigns its membership and subsequently applies to re-establish its membership,*~~

~~*the application first shall be approved by the Executive Committee before becoming eligible for re-election as a corresponding member.*~~

~~*3.5.4 Conditions and Obligations of Membership. A corresponding member is responsible for observing the principles set forth in the constitution and bylaws of the Association. The member shall not use the Association's name, logo or other insignia.*~~

~~*3.5.5 Loss of Membership.*~~

~~*3.5.5.1 Termination or Suspension. The membership of any corresponding member failing to meet the conditions and obligations of membership or failing to support and adhere to the purposes and policies of the Association (see Constitution 1) may be suspended or terminated or the corresponding member otherwise disciplined through the following procedure:*~~

~~*(a) The Executive Committee by a two-thirds majority of its members present and voting, may take such action on its own initiative; or*~~

~~*(b) The Committee on Infractions, by majority vote, may recommend such action to the Executive Committee, which may adopt the recommendation by a two-thirds majority of its members present and voting; and*~~

~~*(c) The corresponding member shall be advised of the proposed action at least 30 days prior to any Committee on Infractions or Executive Committee meeting in which such action is considered and shall be provided the opportunity to appear at any such meeting.*~~

~~*3.5.5.1.1 Cessation of Rights and Privileges. All rights and privileges of the corresponding member shall cease upon any termination or suspension of corresponding membership.*~~

~~*3.5.5.2 Failure to Pay Dues. If a corresponding member fails to pay its annual dues for one year, its membership shall be automatically terminated.*~~

~~*3.5.5.3 Reinstatement of Terminated Member. Any corresponding member whose membership has been terminated may have it reinstated by a two-thirds vote of the Executive Committee.*~~

~~*3.5.5.4 Reinstatement of Suspended Member. Any corresponding member whose membership has been suspended may be reinstated to good standing in accordance with the terms, if any, of the suspension action, or at any time after six months from the date of such suspension, by vote of a majority of the Executive*~~

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~~Committee or by vote of the majority of the members present and voting at any annual Convention.~~

~~3.5.6 Discipline of Corresponding Members. Disciplinary or corrective actions other than suspension or termination of membership may be effected during the period between annual Conventions for violation of NCAA rules. (See Bylaws 19 and 32 for enforcement regulations, policies and procedures.)~~

~~3.5.6.1 Restoration of Good Standing. Disciplined members shall resume good standing in accordance with the terms of disciplinary action taken, or may be restored to good standing at any time by a vote of at least three members of the Executive Committee present and voting or, at the annual Convention, by vote of a majority of the members present and voting.~~

3.~~6~~**5** PROVISIONAL MEMBERSHIP

[3.6.1 through 3.6.4 renumbered as 3.5.1 through 3.5.4, unchanged.]

3.~~6~~**5**.5 Loss of Provisional Membership.

[3.6.5.1 through 3.6.5.2 renumbered as 3.5.5.1 through 3.5.5.2 unchanged.]

3.~~6~~**5**.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*~~ **immediately forfeit its membership in the Association**.

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

[3.7.1 renumbered as 3.6.1 unchanged.]

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*~~ **As determined by the Executive Committee.**
~~*Corresponding Members*~~	~~*$ 225.00*~~

*See Constitution 3.~~6~~**5**.3.1 for provisional membership.

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[3.7.3 renumbered as 3.6.3 unchanged.]

B. Constitution: Amend 5.1.3, as follows:

5.1.3 Annual or Special Convention Delegates.

[5.1.3.1 unchanged.]

5.1.3.2 ~~*Corresponding,*~~ Affiliated and Provisional Delegates. Each ~~*corresponding,*~~ 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~~, *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 19.5.3, as follows:

19.5.3 Discipline of Affiliated ~~*or Corresponding*~~ Member.

19.5.3.1 Termination or Suspension. The membership of any affiliated ~~*or corresponding*~~ member failing to meet the conditions and obligations of membership or failing to support and adhere to the purposes and policies set forth in Constitution 1 may be terminated or suspended or the member otherwise may be disciplined through the following procedure:

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(a) The Executive Committee by a two-thirds majority of its members present and voting, may take such action on its own initiative; or

[19.5.3.1-(b) unchanged.]

(c) The affiliated ~~*or corresponding*~~ member shall be advised of the proposed action at least 30 days prior to any Committee on Infractions or Executive Committee meeting in which such action is considered and shall be provided the opportunity to appear at any such meeting.

D. Bylaws: Amend 20.02, as follows:

20.02 DEFINITIONS AND APPLICATIONS

[20.02.1 through 20.02.3 unchanged.]

20.02.4 Restricted Membership. Restricted membership is a membership classification status assigned to an institution that fails to comply with the minimum requirements of its division (e.g., sports sponsorship, scheduling). The institution placed in such status loses eligibility for a number of membership privileges and has from one year to three years to comply with the requirement involved. Failure to comply ~~*reclassifies the institution to corresponding membership (see Bylaw 20.2.5)*~~ **shall result in the termination of the institution's membership in the Association**.

[20.02.5 unchanged.]

[20.1 unchanged.]

20.2 ESTABLISHMENT OF AND COMPLIANCE WITH DIVISION CRITERIA

[20.2.1 through 20.2.4 unchanged.]

20.2.5 Noncompliance and Waivers of Division Criteria.

20.2.5.1 Restricted Membership.

20.2.5.1.1 Minimum One-Year Compliance Period. If an institution (or its sport per Bylaw 20.4) does not qualify for membership in any division, the institution (or its sport per Bylaw 20.4) may be placed in a restricted membership category for a minimum of one year. At the conclusion of the minimum one-year period, the institution automatically shall be granted membership in its preferred division, provided the institution complies

with the division's criteria. If the ~~*member*~~ **institution** does not meet the criteria of any division at the end of the restricted membership period, the ~~*member*~~ **institution** shall ~~*be reclassified as a corresponding member*~~ **forfeit its membership in the Association**.

20.2.5.1.2 Failure to Meet Minimum Sports Sponsorship Criteria.

[20.2.5.1.2.1 unchanged.]

20.2.5.1.2.2 Application of Restricted Membership Status. If an institution fails to meet the sports sponsorship criteria at the end of the probationary year or is ineligible for the once-in-10-year probationary period, it shall be placed in restricted membership and shall not be eligible for NCAA championship competition in all sports (both men's and women's) in the first academic year after the probationary year (or the first academic year after failure to meet the requirements if the institution is ineligible for the once-in-10-year probationary period). If the institution still cannot certify compliance with the division criteria at the end of that year, it shall ~~*be reclassified as a corresponding member*~~ **forfeit its membership in the Association**.

[20.2.5.1.3 through 20.2.5.1.8 unchanged.]

20.2.5.2 ~~*Corresponding Membership*~~ **Loss of Membership**.

20.2.5.2.1 Failure to Meet Three-Season Requirement. If an active member no longer meets the three-season requirement for either men or women, it shall ~~*be reclassified immediately as a corresponding member (see Constitution 3.2.5.2)*~~ **immediately forfeit its membership in the Association**.

D. Bylaws: Amend 22.3.3, as follows:

22.3.3 Corrective Action. When problems are identified pursuant to the athletics certification process, a member institution shall take corrective action. Requirements for taking corrective action, and a record of such action, shall be a routine aspect of the certification process and shall be available for review during later certifications.

[22.3.3.1 unchanged.]

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22.3.3.2 Failure to Take Corrective Actions. An institution that fails to conduct an appropriate self-study or to make an effective effort to correct problems in its athletics program may be denied certification following the expiration of a reasonable, specified period of time during which the institution may rectify its deficiencies.

[22.3.3.2.1 unchanged.]

22.3.3.2.2 Not Certified -- ~~*Corresponding Membership*~~ **Loss of Membership**. If, at the end of the restricted-membership year specified in Bylaw 22.3.3.2.1, the Committee on Athletics Certification concludes that the concerns cited previously related to the institution's athletics department still are not being addressed properly, the institution shall ~~*be reclassified as a corresponding member, consistent with the provisions of Constitution 3.5 and Bylaw 20.2.5.1.1*~~ **forfeit its membership in the Association**.

E. Bylaws: Amend 23.2.1.2.4, as follows:

23.2.1.2.4 Membership Status. After the fourth occasion that a team fails to satisfy the academic performance program, the institution's entire program shall be reclassified to restricted membership status for a period of one year. If, at the end of the one-year restricted membership period, the penalized team does not improve enough to meet the benchmarks of the historical-penalty structure, the institution shall ~~*be reclassified as a corresponding member, consistent with the provisions of Constitution 3.5*~~ **forfeit its membership in the Association**.

[23.2.1.2.4.1 unchanged.]

23.2.1.2.4.2 Appeal of Committee on Academic Performance Decision. An institution may appeal a decision by the Committee on Academic Performance under which the institution has been placed in a restricted ~~*or corresponding*~~ category **or has forfeited its membership in the Association** to the designated subcommittee of the Board of Directors. The determination of the subcommittee of the Board of Directors shall be final, binding and conclusive and not subject to further review by any other authority.

F. Bylaws: Amend 23.3, as follows:

23.3 APPEAL PROCEDURES
An institution or team subject to penalty (or penalties) due to its failure to satisfy the appropriate standards of the academic performance program may appeal the application of such penalty (or penalties) to the Committee on Academic Performance.

[23.3.1 unchanged.]

23.3.2 Appeal of Committee on Academic Performance Decision. An institution may appeal a decision issued by the Committee on Academic Performance to the designated subcommittee of the Board of Directors under the following conditions:

(a) The penalty (or penalties) at issue in the appeal involves loss of access to postseason competition**,** ~~*and/or*~~ reclassification of membership status to restricted ~~*or corresponding*~~ **and/or or the forfeiture of its** membership **in the Association**. No other issues or penalties (e.g., loss of scholarships, recruiting restrictions, academic or graduation rate issues, preseason competition restrictions) shall be appealed; and

[23.3.2-(b) unchanged.]

Source:

Effective Date: August 1, 2011

Proposal Category: Amendment

Topical Area: NCAA Membership

Rationale: This proposal reinforces the concept that affiliated membership is intended for organizations whose function and purpose directly relate to one or more sports in which the Association conducts championships or identifies as an emerging sport for women. The changes to the affiliated membership category will reduce potential abuse of the NCAA brand by groups or organizations (e.g. nonscholastic teams, recruiting services) that are not active members of the Association and whose primary interest for using the NCAA brand may not be in the best interest of the Association. These changes will also result in the reduced need to monitor this potentially inappropriate activity. This proposal also would eliminate the corresponding membership category. The only benefit corresponding members receive is the Association's general membership publications and mailings. Corresponding members do not have the privilege of using the Association's marks. Finally, the Executive Committee will have the responsibility of determining the appropriate fee for affiliated membership.

Estimated Budget Impact: Minimal.
Impact on Student-Athlete's Time (Academic and/or Athletics): None.

History:

July 9, 2010: Submit; Submitted for consideration.

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Aug 12, 2010: Executive Committee; Recommends Approval

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REPORT OF THE NCAA DIVISION I COMMITTEE ON INFRACTIONS

***ACTION ITEM*.**

Recommendation: That the NCAA Division I Board of Directors amend Bylaw 19.02.2.1 to clarify and specify what constitutes a secondary violation.

Bylaw: Amend 19.02.2.1 as follows:

19.02.2.1 Violation, Secondary. A secondary violation is a violation that is isolated or inadvertent in nature, provides or is intended to provide only a minimal recruiting, competitive or other advantage and does not include any significant ~~*recruiting inducement or extra benefit*~~ **impermissible benefit (including, but not limited to, an extra benefit, recruiting inducement, preferential treatment or financial aid)**. Multiple secondary violations by a member institution may collectively be considered as a major violation.

Source: Division I Committee on Infractions.

Effective Date: Immediate.

Category: Amendment.

Topical Area. Enforcement.

Rationale: This amendment would clarify the scope of what a secondary violation is, and specifies that other significant impermissible benefits are major violations.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

REPORT OF THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I LEADERSHIP COUNCIL OCTOBER 5, 2010, MEETING

1. ACTION ITEMS.

a. **Division I Membership Standards**. The Leadership Council reviewed Proposal No. 2010-100 and recommended that the Division I Board of Directors modify the proposal to clarify that before a Football Championship Subdivision (FCS) institution may be reclassified to the Football Bowl Subdivision (FBS), the institution must receive a bona fide invitation for membership in a FBS conference or a conference that previously has been an FBS conference and invites the institution to continue classification as FBS.

b. **GoDaddy.com**. The Council received a report from the NCAA Committee on Women's Athletics (CWA) in which the committee noted its objection to the decision to permit the previously licensed GMAC Bowl to change its title sponsor to GoDaddy.com. The CWA noted that the NCAA Application for License to Conduct Postseason Football Contest includes in its conditions of receiving a license the requirement that the licensee promote and administer a postseason football game consistent with the image, integrity and values of the NCAA. The CWA noted that the majority of GoDaddy.com advertisements contain sexually suggestive material, many of which are more suggestive than allowed on television. The CWA requests that focused efforts be made to ensure that GoDaddy.com advertisements and activities surrounding the postseason bowl game maintain the integrity and image of the NCAA and its student-athletes. The Leadership Council unanimously voted to support the CWA's position regarding GoDaddy.com as a bowl title sponsor and to request that the NCAA Executive Committee review the concerns expressed by the CWA in order to determine how best to ensure that future bowl sponsors are aligned with the image, values and integrity of the Association.

2. INFORMATION ITEMS.

a. **Update from new NCAA President**. The Leadership Council welcomed new NCAA President Mark Emmert. President Emmert reviewed with the Council his focus for the future of the Association:

- Enhance the student-athlete experience.
- Demonstrate leadership with members to keep strengthening the platform that governs national intercollegiate athletics.
- Engage the world beyond higher education to further support and sustain the collegiate model.

President Emmert engaged in a question and answer session on various topics of interest to the Council.

b. **Discussion on Agents.** The Council received information regarding the differences in the draft policies of several professional sports. Rachel Newman-Baker, NCAA director of agent, gambling and amateurism activities (AGA), shared with the Council information about the trends related to agent interference with NCAA eligibility rules that the AGA staff has collected over the past several years. The Council engaged in discussion regarding the manner by which agents enter the lives of prospective and enrolled student-athletes, and how they influence the decisions student-athletes ultimately make regarding professional career opportunities. The Council agreed that this is a complex issue related to education, regulation and enforcement, and asked that staff provide more information (e.g., numbers of student-athletes being touched by third-parties) related to agent activity for review and use in further discussion at its January 2011 meeting. It also was suggested that agents and coaches be invited to present information to the Council. It is anticipated that the Council will be expected to submit recommendations to the Board of Directors that will lead to a better process to ensure that individuals make an informed decision when considering a career in professional athletics.

c. **Report on NCAA/Major League Baseball Discussions**. The Council was updated on preliminary discussions that have taken place between several representatives of the NCAA and Major League Baseball (MLB) and the Major League Baseball Players Association (MLBPA). The Council reviewed discussions related to a College Baseball Development Initiative that would utilize funds provided by MLB and the MLBPA to: (1) Increase opportunities for student-athletes to participate in college baseball and thereby experience the educational values associated with intercollegiate athletics; (2) Develop programs to enhance the sport for participants and fans; (3) Implement initiatives to address the lack of racial diversity in the sport, and (4) Provide opportunities for student-athletes to improve their baseball skills. The Leadership Council agreed that discussions regarding the initiative should continue, but that the NCAA should be mindful of the potential implications and unintended consequences of moving forward with such an initiative. The group was advised that the item would be a continued agenda topic for the Leadership Council and that it would be consulted before any final recommendations are submitted to the Board of Directors.

d. **Legislative Items in the 2010-11 Cycle of Potential Interest to the Leadership Council.** The Council received a report regarding a number of proposals in the 2010-11 legislative cycle. The Leadership Council discussed Proposal 2010-100 and took the following actions:

- Directed the staff to convene a smaller group of Leadership Council members, along with several Division I conference commissioners, to discuss the potential ramifications and unintended consequences (e.g. impact on automatic qualification) that may result if the definition of a multi-sport conference as set forth in the proposal is adopted.

- Agreed to continue to support the elimination of all multisport classification (for sports not classified in Division I during the 2010-11 academic year), noting that the member conferences have the opportunity to set forth alternative proposals during the current sponsor modification period.

e. **Application of NCAA Bylaw 20.9.7.4-(a)**. The Leadership Council considered a request from the NCAA Division I Administration Cabinet to provide feedback related to the application of the Football Bowl Subdivision (FBS) requirement set forth in Bylaw 20.9.7.4-(a) that requires an institution to award 90 percent of the permissible maximum number of overall football grants-in-aid per year over a rolling two-year period. Specifically, the Council discussed whether the 90-percent requirement should be based on the 85 permissible maximum number of overall football grants-in-aid that generally may be awarded or based on the overall number of football grants-in-aid that an FBS institution may be limited to awarding as a result of penalties imposed by an NCAA committee (e.g., NCAA Division I Committee on Academic Performance, Committee on Infractions). The Leadership Council recommended that the Administration Cabinet apply the 90-percent requirement based on the maximum number of overall football grants-in-aid an institution is permitted to award in an academic year following any reduction imposed by a governing committee action.

f. **Capital One Cup**. The Leadership Council expressed concern about the Capital One Cup, which is a new trophy that will be awarded to the top men's and women's Division I programs based on cumulative on-field performance across selected NCAA sports. Institutions will earn points based on their teams' top-10 finishes and in final official coaches' polls in 13 men's and women's sports, including cross-country, golf and tennis for men; and volleyball, softball and rowing for women. The Council expressed concern with the tiered scoring system, which seems to imply that some NCAA sports are more important than others. In addition, the Council noted the exclusion of FCS football, which is a significant Division I championship sport. The Council suggested that there be more effective influence to ensure that NCAA corporate partners' activities are as consistent as possible with the expectations of the membership.

g. **Litigation Report.** Scott Bearby, interim NCAA general counsel, reported on the legal activity in which the Association is involved.

h. **Report of the March 23, 2010, Leadership Council meeting**. The Council approved the report of its March 23, 2010, meeting.

i. **Report from the Division I Student-Athlete Advisory Committee.** Division I Student-Athlete Advisory Committee chair Nick Fulton presented a report of the committee's recent meeting and priorities for the upcoming year.

j. **Future Meetings**.

a. January 15, 2011, San Antonio, Texas.

b. TBD -- March/April 2011, Indianapolis, Indiana.

Leadership Council chair: Michael Alden, University of Missouri
Staff Liaisons: S. David Berst, Division I governance
Jacqueline Campbell, Division I governance
Kevin Lennon, academic and membership affairs

REPORT OF THE NCAA DIVISION I LEGISLATIVE COUNCIL MEETING OCTOBER 18-19, 2010

ACTION ITEMS.

1. Legislative Items - Requests for Action by the NCAA Division I Board of Directors.

a. NCAA Proposal No. 2010-110 Playing and Practice Seasons – Mandatory Medical Examination – Sickle Cell Solubility Test – Written Release [Attachment A]

(1) Recommendation. The NCAA Division I Legislative Council recommends that the Board of Directors sponsor Proposal No. 2010-110 into the current 2010-11 legislative cycle.

(2) Effective Date. August 1, 2011.

(3) Rationale. Proposal No. 2010-110 was sponsored by the NCAA Division I Championships/Sports Management Cabinet and recommended to the Legislative Council for adoption as noncontroversial legislation. The Legislative Council did not support the proposal as noncontroversial legislation; however, the council agreed that the merits of the proposal should be considered by the membership in the 2010-11 legislative cycle. If the proposal is sponsored into the 2010-11 legislative cycle, the membership will have an opportunity to review the proposal without delaying its potential implementation.

(4) Estimated Budget Impact. Estimated to be $5 per test.

(5) Student-Athlete Impact. Potential health and well-being impact.

b. Proposal No. 2009-100 Recruiting – Tryouts – Nonscholastic Practice, Contest or Event – Men's Basketball.

(1) Recommendation. The Legislative Council recommends that the Board of Directors modify Proposal No. 2009-100 consistent with the feedback provided by the NCAA Division I Men's Basketball Issues Committee, as follows:

i. Specify that an institution shall not host, sponsor or conduct nonscholastic practices/competitions, but continue to permit institutions to host noninstitutional, instructional camps, subject to current NCAA rules.

ii. Specify that use of institutional facilities for noninstitutional camps that include prospect-age participants shall be limited to the summer (June through August).

iii. Provide an exception to permit institutions to continue to host basketball-related events that are part of state-sponsored multisport events.

iv. Clarify that the legislation shall apply to basketball events conducted on campus by any institutional department (e.g., athletics, recreational/intramural).

(2) Effective Date. Immediate; a contract signed before October 29, 2009, may be honored.

(3) Rationale. During its April 2010 meeting, the Legislative Council deferred action on the proposal and expressed concern regarding its scope. The Legislative Council referred the proposal to the Men's Basketball Issues Committee for further review and feedback. The recommended modifications will narrow the scope of the proposal, thereby addressing concerns expressed by various constituencies; however, the proposal will continue to address inappropriate recruiting practices in men's basketball.

(4) Estimated Budget Impact. Potential for lost revenue for use of facilities by outside entities.

(5) Student-Athlete Impact. None.

INFORMATIONAL ITEMS.

1. Legislative Actions.

a. **Legislation Recommended as Noncontroversial.** The Legislative Council's actions related to legislation recommended as noncontroversial are listed in Attachment B.

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

b. **Actions, Preliminary Positions, Points to Consider and Comments and to 2010-11 Legislative Cycle Proposals.** Reference Attachment C for details regarding the actions, positions, points to consider and comments related to legislation scheduled for initial consideration in January 2011.

2. Report of NCAA Division I Legislative Review/Interpretations Committee.

a. **Approval of Legislative Review/Interpretations Committee Minutes.** The Legislative Council approved the minutes of the Legislative Review/Interpretations Committee as distributed. As a result of its approval of the Legislative Review/Interpretations Committee's August 26, 2010, minutes, item No. 1, the council issued the following interpretation:

Application of NCAA Bylaw 13 to a Prospective Student-Athlete with no Reasonable Expectation of Participation in Intercollegiate Athletics. The Legislative Council determined that the restrictions of Bylaw 13 do not apply to a prospective student-athlete who has no reasonable expectation of participating in intercollegiate athletics as a result of a disability or terminal illness, provided he or she is not a relative of a prospective student-athlete who is being recruited by the institution.

[References: Bylaws 13.02.11 (prospective student-athlete), 13.2.1 (general regulation), 13.2.2 (specific prohibitions) 13.10.5 (prospective student-athlete's visit), 13.10.6 (introduction of prospective student-athlete) and 13.15.1 (precollege expenses -- prohibited expenses); official interpretation (10/22/01, Item No. a) and staff interpretation (2/25/10, item a), which have been archived]

b. **Appeal of an Interpretive Decision by the Legislative Review/Interpretations Committee.** The Legislative Council considered an appeal of an interpretive decision issued July 29, 2010, by the Legislative Review/Interpretations Committee related to the application of Bylaws 32.10.1.1 and 32.10.1.2. The council upheld the committee's decision that an institution does not have standing to appeal a finding of violation or a penalty (e.g., a show cause order) imposed by the NCAA Division I Committee on Infractions against an individual (e.g., coach).

3. **Report of the NCAA Division I Legislative Council Subcommittee for Legislative Relief.** (For additional information, Supplement No. 13 of the Legislative Council meeting materials and the Subcommittee for Legislative Relief page are available on the NCAA website.) The Legislative Council approved a revision to the Legislative Council Subcommittee for Legislative Relief guidelines for waiver requests involving Bylaw 14.5.5.1 (four-year college transfers) and transfers of male student-athletes due to pregnancy or the birth of a child. Under such circumstances, relief may be provided if: (1) A male student-athlete transfers from one four-year institution to a second four-year institution at the first opportunity after learning of the mother's pregnancy or transfers at the first opportunity after the birth of the child; (2) The male student-athlete will share in the day-to-day responsibilities of caring for the child; and (3) The previous institution supports the waiver request.

4. **Revisions to the Legislative Council Policies and Operating Procedures.** The Legislative Council approved the following revisions to its policies and operating procedures:

   a. **Appeals of Athletics Certification Decisions.** The council shall be responsible for consideration of appeals of certification decisions of the NCAA Division I Committee on Athletics Certification.

   b. **Voting Method.** The method of voting on issues considered by the Legislative Council shall be by roll call, except for actions taken by the unanimous consent of the members present and voting. Roll-call vote results of legislative actions shall be reported to the membership and shall include a record of each member's vote. The overall outcomes of votes on other matters shall be reported to the membership, but neither the vote count nor individual votes shall be reported.

   c. **Appeals of Legislative Review/Interpretations Committee Decisions that Involve Eligibility or Infractions Issues.** In order to appeal a decision by the Legislative Review/Interpretations Committee that involves eligibility or infractions issues, an institution shall provide the NCAA staff liaisons to the Legislative Council written notice of its intent to appeal the decision within seven calendar days of notification of the committee's decision. Once written notice has been provided, the institution shall have 14 calendar days to submit materials for its appeal. Once the appeal materials are received by the staff, the Legislative Council will convene within 14 calendar days to consider the appeal. If an institution's Committee on Infractions hearing is scheduled for a date that occurs during the window for submitting an appeal, such a request may be expedited and heard prior to the scheduled Committee on Infractions hearing date.

5. Discussion of the Board of Directors Resolution Related to Legislative Process. At its April meeting, the Board of Directors reviewed 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. In response to the resolution the council reviewed and discussed the following concepts related to the legislative process:

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

b. 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.

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

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

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

f. 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.

The council members agreed to seek additional feedback from their conferences with the view toward further discussion and development of a policy statement and/or legislative proposals to effectuate the desired results. The council will continue discussions related to this topic during its January 2011 meeting and/or its April 2011 meeting.

6. **Future Meeting Dates.**

a. January 12-13, 2011, San Antonio, Texas, in conjunction with the NCAA Convention.

b. April 11-12, 2011, Indianapolis.

Council Chair: *Shane Lyons, Atlantic Coast Conference*
Council Liaisons: *Lynn Holzman, Academic and Membership Affairs*
Steve Mallonee, Academic and Membership Affairs
Binh Nguyen, Academic and Membership Affairs
Leeland Zeller, Academic and Membership Affairs

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

NCAA Proposal No. 2010-110

PLAYING AND PRACTICE SEASONS AND RECRUITING -- MANDATORY MEDICAL EXAMINATION -- SICKLE CELL SOLUBILITY TEST -- WRITTEN RELEASE

Intent: To eliminate the opportunity for an individual to decline and sign a written release for the sickle cell solubility test as part of the required medical examination or evaluation for 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.

A. Bylaws: Amend 13.11.3, as follows:

13.11.3 Tryout Exceptions.

[13.11.3.1 through 13.11.3.7 unchanged.]

13.11.3.8 Voluntary Summer Conditioning -- Football.

[13.11.3.8.1 through 13.11.3.8.2 unchanged.]

13.11.3.8.3 Mandatory Medical Examinations. Prior to participation in any weight training or conditioning workouts, a prospective student-athlete who will be a first-time participant shall be required to undergo a medical examination or evaluation administered or supervised by a physician (e.g., family physician, team physician). The examination or evaluation shall include a sickle cell solubility test (SST), unless documented results of a prior test are provided to the institution ~~*or the prospective student-athlete declines the test and signs a written release*~~. The examination or evaluation must have been administered within six months prior to participation in any weight training or conditioning activity.

13.11.3.9 Voluntary Summer Conditioning -- Basketball. In basketball, a prospective student-athlete may engage in voluntary workouts conducted by an institution's strength and conditioning coach with department-wide duties and may receive workout apparel (on an issuance and retrieval basis), provided he or she:

[13.11.3.9-(a) through 13.11.3.9-(b) unchanged.]

13.11.3.9.1 Mandatory Medical Examination. Prior to participation in any weight training or conditioning workouts conducted by an institution's strength and conditioning coach, a prospective student-athlete who will be a first-time participant shall be required to undergo a medical examination or evaluation administered or supervised by a physician (e.g., family physician, team physician). The examination or evaluation shall include a sickle cell solubility test (SST), unless documented results of a prior test are provided to the institution ~~*or the prospective student-athlete declines the test and signs a written release*~~. The examination or evaluation must have been administered within six months prior to participation in any weight training or conditioning activity.

13.11.3.10 Voluntary Summer Conditioning -- Sports Other Than Football and Basketball. In sports other than football and basketball, a prospective student-athlete may engage in voluntary summer workouts conducted by an institution's strength and conditioning coach with department-wide duties and may receive workout apparel (on an issuance and retrieval basis), provided he or she is enrolled in the institution's summer term prior to the student's initial full-time enrollment at the certifying institution.

13.11.3.10.1 Mandatory Medical Examination. Prior to participation in any weight training or conditioning workouts conducted by an institution's strength and conditioning coach, a prospective student-athlete who will be a first-time participant shall be required to undergo a medical examination or evaluation administered or supervised by a physician (e.g., family physician, team physician). The examination or evaluation shall include a sickle cell solubility (SST), unless documented results of a prior test are provided to the institution ~~*or the prospective student-athlete declines the test and signs a written release*~~. The examination or evaluation must have been administered within six months prior to participation in any weight training or conditioning activity.

13.11.3.11 Safety Exception -- Summer Prior to Initial Full-Time Enrollment at the Certifying Institution. In sports in which the safety exception is applicable in Bylaw 17, a prospective student-athlete who is enrolled in a summer term prior to initial full-time enrollment at the certifying institution may participate in voluntary individual workouts in the presence of the institution's coach an in the institution's regular practice facility when the prospective student-athlete uses equipment related to the sport. The coach may provide safety or skill instruction by may not conduct the individual's workout.

13.11.3.11.1 Mandatory Medical Examination. Prior to participation in any voluntary individual workouts pursuant to the safety exception, a prospective student-athlete who will be a first-time participant shall be required to undergo a medical examination or evaluation administered or supervised by a physician (e.g., family physician, team physician). The examination or evaluation shall include a sickle cell solubility test (SST), unless documented results of a prior test are provided to the institution ~~*or the prospective student-athlete declines the test and signs a written release*~~. The examination or evaluation must have been administered within six months prior to participation in any safety exception activity.

B. Bylaws: Amend 17.1.5, as follows:

17.1.5 Mandatory Medical Examination. Prior to participation in any practice, competition or out-of-season conditioning activities (or in Division I, permissible voluntary summer conditioning in basketball and football or voluntary individual workouts pursuant to the safety exception), student-athletes who are beginning their initial season of eligibility and students who are trying out for a team shall be required to undergo a medical examination or evaluation administered or supervised by a physician (e.g., family physician, team physician). The examination or evaluation must be administered within six months prior to participation in any practice, competition or out-of-season conditioning activities. In following years, an updated history of the student-athlete's medical condition shall be administered by an institutional medical staff member (e.g., sports medicine staff, team physician) to determine if additional examinations (e.g., physical, cardiovascular, neurological) are required. The updated history must be administered within six months prior to the student-athlete's participation in any practice, competition or out-of-season conditioning activities for the applicable academic year.

17.1.5.1 Sickle Cell Solubility Test. The examination or evaluation of student-athletes who are beginning their initial season of eligibility and students who are trying out for a team shall include a sickle cell solubility test, unless documented results of a prior test are provided to the institution ~~*or the prospective student-athlete or student-athlete declines the test and signs a written release*~~.

Source: NCAA Division I Championships/Sports Management Cabinet (Committee on Competitive Safeguards and Medical Aspects of Sports)

Effective Date: August 1, 2011

Proposal Category: Amendment

Topical Area: Playing and Practice Seasons

Rationale: The NCAA Committee on Competitive Safeguards and Medical Aspects of Sports supported the original legislative proposal that did not allow a student-athlete to decline a sickle cell solubility test through a written release. It is important that athletics departments confirm sickle cell trait status in all student-athletes during the medical examination period prior to athletics participation. The concern is that the current written release option serves as a blanket waiver contrary to the intent of the original proposal. The recommendation is that the written release option be eliminated for the medical examinations that are required for initial participation in athletics activities on or after August 1, 2011.

Estimated Budget Impact: Estimated to be $5 per test.

Impact on S-A's Time (Academic and/or Athletics): None.

History

Jun 12, 2010: Submit; Submitted for consideration.

Jun 14, 2010: Committee on Competitive Safeguards and Medical Aspects of Sports, Recommends Approval

Sep 15, 2010: Championships/Sports Management Cabinet, Sponsored

Sep 15, 2010: Championships/Sports Management Cabinet, Recommends Approval as Noncontroversial Legislation

Oct 19, 2010: Leg Council Init Review; Recommended that the NCAA Board of Directors sponsor the proposal into the 2010-11 legislative cycle.

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

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

NCAA Proposal Number	Title	Source	Effective Date	Intent	LGC Action
2010-6	NCAA MEMBERSHIP -- ACTIVE MEMBERSHIP -- ELECTION PROCEDURES -- BOARD OF DIRECTORS	NCAA Division I Board of Directors (Leadership Council)	Immediate	To specify that the NCAA Division I Board of Directors, on the recommendation of the NCAA Division I Administration Cabinet, shall have the authority to elect an institution to active Division I membership status.	Supported as noncontroversial legislation. Adopted.
2010-10	ORGANIZATION -- DIVISION I LEGISLATIVE COUNCIL -- VOTING METHOD -- RESULTS OF ROLL-CALL VOTES	NCAA Division I Legislative Council	Immediate	To specify that roll-call vote results of legislative actions taken by the Legislative Council shall be reported to the membership and shall include a record of each council member's vote; further, to specify that the overall outcomes of votes on other matters shall be reported to the membership, but neither the vote count nor individual votes shall be reported.	Supported as noncontroversial legislation. Adopted.
2010-13	LEGISLATIVE PROCESS -- OTHER LEGISLATIVE AND AMENDMENT PROCEDURES -- INTERPRETATION PROCESS -- REVIEW OF LEGISLATIVE REVIEW/INTERPRETATIONS COMMITTEE'S DECISION – APPEAL PROCEDURES	NCAA Division I Legislative Council	Immediate	To eliminate the requirement that all appeals of decisions of the NCAA Division I Legislative Review/Interpretations Committee to the Legislative Council occur at Legislative Council meeting immediately following the decision of the committee.	Supported as noncontroversial legislation. Adopted.

NCAA Proposal Number	Title	Source	Effective Date	Intent	LGC Action
2010-23	AMATEURISM -- AMATEUR STATUS -- EXCEPTION FOR PAYMENT BASED ON TEAM PERFORMANCE -- ACTUAL AND NECESSARY EXPENSES – SPORTS OTHER THAN MEN'S ICE HOCKEY AND SKIING	NCAA Division I Amateurism Cabinet	Immediate	In sports other than men's ice hockey and skiing, to specify that before full-time collegiate enrollment, an individual may accept payment based on his or her team's place finish or performance, or given on an incentive basis (e.g., bonus) from a team, provided the combination of such payments and expenses provided to the individual does not exceed his or her actual and necessary expenses to participate on the team.	Supported as noncontroversial legislation. Adopted.
2010-50	RECRUITING -- BASKETBALL EVENT CERTIFICATION -- WOMEN'S EVENTS AND MEN'S SUMMER EVENTS -- PRICE OF ADMISSION	NCAA Division I Championships/Sports Management Cabinet (Men's Basketball Issues Committee) (Women's Basketball Issues Committee)	May 1, 2011; for events occurring on or after May 1, 2011	In basketball, to specify that in order for a women's event or men's summer event to be certified, the price of admission to the event must be listed on the event certification application and the price must be made available to coaches prior to their arrival at the event.	Supported as noncontroversial legislation. Adopted.

NCAA Proposal Number	Title	Source	Effective Date	Intent	LGC Action
2010-106	COMMITTEES -- COMMON COMMITTEES -- COMMITTEES WITH PLAYING RULES AND CHAMPIONSHIPS ADMINISTRATION RESPONSIBILITIES -- WOMEN'S BOWLING COMMITTEE	NCAA Division I Championships/Sports Management Cabinet (Women's Bowling Committee)	Immediate	To increase the number of members of the Women's Bowling Committee from six to seven, including the nonvoting secretary rules editor.	Supported as noncontroversial legislation. Adopted.
2010-110	PLAYING AND PRACTICE SEASONS AND RECRUITING -- MANDATORY MEDICAL EXAMINATION -- SICKLE CELL SOLUBILITY TEST -- WRITTEN RELEASE	NCAA Division I Championships/Sports Management Cabinet (Committee on Competitive Safeguards and Medical Aspects of Sports)	August 1, 2011	To eliminate the opportunity for an individual to decline and sign a written release for the sickle cell solubility test as part of the required medical examination or evaluation for 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.	Not supported as noncontroversial legislation. Recommended that the Board of Directors sponsor the proposal into the 2010-11 legislative cycle.
2010-111	INSTITUTIONAL CONTROL -- FINANCIAL DISCLOSURE -- MEN'S BASKETBALL	NCAA Division I Championships/Sports Management Cabinet (Men's Basketball Issues Committee)	Immediate	In men's basketball, to eliminate the requirement that an institution publicly disclose information regarding fiduciary relationships between the institution and prospective student-athletes' coaches.	Supported as noncontroversial legislation. Adopted.

NCAA Proposal Number	Title	Source	Effective Date	Intent	LGC Action
2010-112	RECRUITING -- CONTACTS AND EVALUATIONS -- MEN'S BASKETBALL EVALUATIONS -- FALL CONTACT PERIOD	NCAA Division I Legislative Council	Immediate	In men's basketball, to specify that evaluations of practice activities at sites other than prospective student-athletes' educational institutions are prohibited during the fall contact period.	Supported as noncontroversial legislation. Adopted.
2010-113	RECRUITING -- CONTACTS AND EVALUATIONS -- BASKETBALL EVALUATIONS -- NONINSTITUTIONAL ORGANIZED RECRUITING EVENTS APPROVED, SPONSORED OR CONDUCTED BY A GOVERNING BODY -- EVENT CERTIFICATION	NCAA Division I Championships/Sports Management Cabinet (Men's Basketball Issues Committee) (Women's Basketball Issues Committee)	Immediate	In basketball, to specify that a noninstitutional organized event that is approved, sponsored or conducted by an applicable state, national or international governing body and is organized and conducted primarily for a recruiting purpose is subject to the basketball event certification program.	Supported as noncontroversial legislation. Adopted.

NCAA Proposal Number	Title	Source	Effective Date	Intent	LGC Action
2010-114	ELIGIBILITY -- FULL-TIME ENROLLMENT -- REQUIREMENT FOR COMPETITION -- EXCEPTION -- COOPERATIVE EDUCATIONAL WORK EXPERIENCE	NCAA Division I Academics Cabinet	Immediate	To permit a student-athlete to represent the certifying institution in intercollegiate athletics while he or she is enrolled in a cooperative educational work experience program (e.g., co-op, internship, practicum, student-teaching) offered by the institution, provided the student is considered to be enrolled in a full-time program of studies, regardless of the credit value of the program; further; to specify that a student who participates in a cooperative educational work experience program that is not a required element of his or her degree program must be enrolled in a minimum of six additional credit hours at the certifying institution during the same term.	Supported as noncontroversial legislation. Adopted.

NCAA Proposal Number	Title	Source	Effective Date	Intent	LGC Action
2010-115	PLAYING AND PRACTICE SEASONS -- GENERAL PLAYING-SEASON REGULATIONS -- GENERAL REGULATIONS FOR COMPUTING PLAYING SEASONS APPLICABLE TO ALL SPORTS -- NON-NCAA POSTSEASON CHAMPIONSHIPS PARTICIPATION -- EMERGING SPORTS FOR WOMEN	NCAA Division I Legislative Council	Immediate	To specify that practice and competition for one recognized national intercollegiate championship event in an emerging sport for women are exempt from being counted against the institution's declared playing and practice season limitations.	Supported as noncontroversial legislation. Adopted.
2010-116	PLAYING AND PRACTICE SEASONS -- EXCEPTION TO END OF PLAYING SEASON AND ANNUAL EXEMPTIONS -- GRIDIRON CLASSIC	NCAA Division I Championships/Sports Management Cabinet	Immediate	In championship subdivision football, to eliminate the Gridiron Classic as an exception to the end of the playing season and as an annual contest exemption.	Supported as noncontroversial legislation. Adopted.
2011-	EXECUTIVE REGULATIONS -- DAY OF COMPETITION -- NOON START TIME -- EXCEPTION -- MEN'S GOLF CHAMPIONSHIPS	NCAA Division I Championships/Sports Management Cabinet (Men's Golf Committee)	Immediate	In men's golf, to specify that in instances in which the final day of the men's golf championships occurs on a Sunday, competition may begin prior to noon.	Not supported as noncontroversial legislation. Will be considered in the 2010-11 legislative cycle.

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

NCAA Division I Legislative Council
Actions, Preliminary Positions, Points to Consider and Comments Related to 2010-11 Legislative Cycle Proposals

This attachment describes the details of the Legislative Council's actions, preliminary positions, points to consider and comments related to legislation schedule for initial consideration in January 2011.

Please note that a position of preliminary support for a proposal reflects that the Legislative Council supported the sponsor's rationale statement and any additional rationale for support expressed in the position statements for the particular proposal. Further, a position of preliminary opposition reflects that it is likely the Legislative Council agreed with opposition expressed in position statements for the particular proposal. If no preliminary position is noted for a particular proposal, the Legislative Council took no position, but noted comments and points for membership consideration in preparation for its initial formal review of the legislation in January 2011.

Please note that the NCAA Division I Official Notice will be available on the NCAA Web site by November 15, 2010. The Official Notice will include all of the 2010-11 legislative cycle proposals that are to be initially considered in January 2011.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
NCAA Division I Proposal No. 2009-19-A	PERSONNEL -- LIMITATIONS ON NUMBER OF COACHES AND OFF-CAMPUS RECRUITERS -- WOMEN'S SAND VOLLEYBALL AND WOMEN'S VOLLEYBALL	To specify that an institution that sponsors only women's sand volleyball shall have a limit of two coaches who may be employed and a limit of two coaches who may contact or evaluate prospective student-athletes off-campus at any one time; further, to specify that an institution that sponsors women's sand volleyball and women's volleyball shall have a limit of four coaches who may be employed and a limit of two coaches who may contact or evaluate prospective student-athletes off-campus at any one time.	Preliminary opposition.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2009-19-B	PERSONNEL -- LIMITATIONS ON NUMBER OF COACHES AND OFF-CAMPUS RECRUITERS -- WOMEN'S SAND VOLLEYBALL	In women's sand volleyball, to specify that the limit on the number of coaches who may be employed is two and the limit on the number of coaches who may contact or evaluate prospective student-athletes off campus at any one time is two.	Preliminary support.
Proposal No. 2009-39	RECRUITING -- LIMITATIONS ON NUMBER OF EVALUATIONS -- EVALUATION DAYS -- WOMEN'S SAND VOLLEYBALL	To specify that an institution that sponsors only women's sand volleyball is limited to 80 evaluation days (measured August 1 through July 31); further, to specify that an institution that sponsors both women's volleyball and women's sand volleyball is limited to 80 evaluation days for women's volleyball and 20 additional evaluation days specific to sand volleyball competition only (no evaluations of practice or other athletics activities, no academic evaluations); finally, to specify that if an institution sponsors both women's volleyball and women's sand volleyball, a coach's involvement outside a volleyball contact or evaluation period with a local sports club (volleyball or sand volleyball) per Bylaw 13.11.2.3 shall count toward the limit.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2009-70	FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT -- WOMEN'S SAND VOLLEYBALL	In women's sand volleyball, to establish the maximum equivalency and counter limitations, as specified; further, to specify that a student-athlete who was a counter in women's sand volleyball during her initial year of full-time enrollment at the certifying institution and participates (practices or competes) in women's volleyball during her second year of full-time enrollment at the certifying institution shall be a counter in women's volleyball for her initial year of full-time enrollment at the certifying institution.	No position. Sponsored an alternative proposal to eliminate the requirement that a student-athlete who was a counter in women's sand volleyball during her initial year of full-time enrollment at the certifying institution and participates (practices or competes) in women's volleyball during her second year of full-time enrollment at the certifying institution shall be a counter in women's volleyball for her initial year of full-time enrollment at the certifying institution.
Proposal No. 2009-83	PLAYING AND PRACTICE SEASONS AND DIVISION MEMBERSHIP -- REGULATIONS FOR PLAYING SEASON AND MINIMUM CONTEST REQUIREMENTS FOR SPORTS SPONSORSHIP -- WOMEN'S SAND VOLLEYBALL	In women's sand volleyball, to establish the playing and practice season and the minimum number of contests necessary for sports sponsorship purposes, as specified.	Preliminary support. Sponsors modified the proposal on the recommendation of the Division I Championships/Sports Management Cabinet to specify that an institution and a student-athlete may participate in not more than 16 dates of competition, with no more than two dates of competition occurring during the nonchampionship segment.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2009-100	RECRUITING -- TRYOUTS -- NONSCHOLASTIC PRACTICE, CONTEST OR EVENT -- MEN'S BASKETBALL	In men's basketball, to 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.	Recommended that the Division I Board of Directors modify the proposal consistent with the feedback provided by the Division I Men's Basketball Issues Committee as follows: • Specify that an institution shall not host, sponsor or conduct nonscholastic practices/competitions, but continue to permit institutions to host noninstitutional, instructional camps, subject to current NCAA rules. • Specify that use of institutional facilities for noninstitutional camps that include prospect-age participants shall be limited to the summer (June through August). • Provide an exception to permit institutions to continue to host basketball-related events that are part of state-sponsored multisport events. • Clarify that the legislation shall apply to basketball events conducted on campus by any institutional department (e.g., athletics, recreational/intramural).

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-7	NCAA MEMBERSHIP -- ACTIVE MEMBERSHIP -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- APPLICATION OF RULES TO ALL RECOGNIZED VARSITY SPORTS -- ELIMINATION OF EMERGING SPORTS TIMETABLE	To eliminate the timetable for application of legislation to emerging sports for women.	Preliminary support.
Proposal No. 2010-8	NCAA MEMBERSHIP -- ACTIVE MEMBERSHIP -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- DRUG TESTING PROGRAM -- DESIGNATION OF ATHLETICS DEPARTMENT RESOURCE AND EDUCATION RELATED TO BANNED DRUGS AND NUTRITIONAL SUPPLEMENTS	To specify that an institution shall designate an individual (or individuals) as the athletics department resource for questions related to NCAA banned drugs and the use of nutritional supplements; further, to specify that an institution shall educate athletics department staff members who have regular interaction with student-athletes that: (1) the NCAA maintains a list of banned drugs; (2) any nutritional supplement use may present risks to a student-athlete's health and eligibility; and (3) questions regarding NCAA banned drugs and the use of nutritional supplements should be referred to the institution's designated department resource individual (or individuals).	Preliminary opposition. Noted the many institutions currently designate an individual or individuals to serve as a resource for questions/education related to banned drugs and nutritional supplements and questioned the necessity of additional legislation in this area.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-9	NCAA MEMBERSHIP -- ACTIVE OR CONFERENCE MEMBERSHIP -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- USE OF A STUDENT-ATHLETE'S NAME OR LIKENESS -- CONTRACTS AND COMMERCIAL AGREEMENTS -- WRITTEN POLICIES	To specify that institutions and conferences shall include language in all licensing, marketing, sponsorship, advertising, broadcast and other commercial agreements that outlines a commercial entity's obligation to comply with NCAA legislation, interpretations and policies on the use of a student-athlete's name or likeness; further, that each institution and conference shall maintain written policies for its licensing, marketing, sponsorship, advertising, broadcast and other commercial agreements, which shall be made available for examination upon request by an NCAA staff member or an authorized representative of the NCAA.	Preliminary support. Expressed preliminary support, regardless of the membership vote on Proposal No. 2010-26.
Proposal No. 2010-11	LEGISLATIVE PROCESS -- DEFINITIONS AND APPLICATIONS -- LEGISLATIVE PROVISIONS -- FOOTBALL CHAMPIONSHIP SUBDIVISION DOMINANT PROVISIONS	To establish a "Football Championship Subdivision Dominant" legislative provision category, which shall be defined as a regulation that applies only to the Football Championship Subdivision and requires a two-thirds majority vote for adoption or to be amended pursuant to the established legislative process.	NCAA Football Championship Subdivision (FCS) only. Preliminary support.
Proposal No. 2010-12	LEGISLATIVE PROCESS -- AMENDMENT PROCESS -- MEMBERSHIP OVERRIDE OF LEGISLATIVE CHANGES -- LEGISLATIVE COUNCIL OR BOARD OF DIRECTORS REVIEW -- OVERRIDE VOTING	To eliminate the requirement that the override voting process on actions taken by the Legislative Council or the Board of Directors must occur at the annual Convention of the Association.	No position. Noted the importance of maintaining an opportunity for full discussion by the membership related to important override votes.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-14	PERSONNEL -- DEFINITIONS AND APPLICATIONS -- GRADUATE ASSISTANT COACH -- BOWL SUBDIVISION FOOTBALL AND WOMEN'S ROWING -- INCIDENTAL EXPENSES AT NCAA CHAMPIONSHIPS AND LICENSED BOWL GAMES	In bowl subdivision football and women's rowing, to permit a graduate assistant coach to receive cash to cover unitemized incidental expenses during travel and practice for NCAA championship events or licensed postseason bowl contests in accordance with the parameters by which student-athletes may receive such expenses.	Preliminary support.
Proposal No. 2010-15	PERSONNEL -- COMPENSATION AND REMUNERATION -- INCOME IN ADDITION TO INSTITUTIONAL SALARY -- CONSULTANT FOR OR ENDORSEMENT OF NONINSTITUTIONAL ATHLETICS EVENTS INVOLVING PROSPECTIVE STUDENT-ATHLETES	To specify that an athletics department staff member may not serve as a consultant for a noninstitutional athletics event that primarily involves prospective student-athletes and may not endorse or promote such an event in any way, including permitting the use of his or her name, picture or quotations.	Preliminary support. Sponsored and indicated preference for an alternative proposal to also specify that an athletics department staff member shall not promote or endorse a nonscholastic team, a nonscholastic coach, or the nonscholastic team's facility in any way, including the use of his or her name, picture or quotations.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-16-A	PERSONNEL -- LIMITATIONS ON THE NUMBER AND DUTIES OF COACHES -- NONCOACHING STAFF WITH SPORT-SPECIFIC RESPONSIBILITIES -- BASKETBALL -- LIMIT OF TWO	In basketball, to specify that there shall be a limit of two noncoaching staff members (two in men's basketball and one in women's basketball) whose responsibilities are specific to basketball and who work directly for the basketball program who may be employed (either on a salaried or a volunteer basis) by the institution; further, to specify that clerical staff and managers who work exclusively for the men's or women's basketball program are exempt from the application of this limitation.	No position. • Expressed concern as to whether the proposal as written can effectively address the identified concerns related to the proliferation of noncoaching sport-specific personnel, inasmuch as there are inherent difficulties in managing, enforcing and interpreting the legislation. • Sponsored an alternative proposal to specify that any individual who works in any capacity for the basketball program (men's or women's respectively) shall count against the limit of two noncoaching staff members, excluding clerical staff and managers.
Proposal No. 2010-16-B	PERSONNEL -- LIMITATIONS ON THE NUMBER AND DUTIES OF COACHES -- NONCOACHING STAFF WITH SPORT-SPECIFIC RESPONSIBILITIES -- BASKETBALL -- LIMIT OF ONE	In basketball, to specify that there shall be a limit of one noncoaching staff member (one in men's basketball and one in women's basketball) whose responsibilities are specific to basketball and who works directly for the basketball program who may be employed (either on a salaried or a volunteer basis) by the institution; further, to specify that clerical staff, managers and video coordinators who work exclusively for the men's or women's basketball program are exempt from the application of this limitation.	No position. Expressed competitive equity concerns resulting from the absence of any limitations on the number of video coordinators who may be employed.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-17	PERSONNEL -- LIMITATIONS ON THE NUMBER OF COACHES -- FOOTBALL BOWL SUBDIVISION -- FOUR GRADUATE ASSISTANT COACHES	In bowl subdivision football, to increase, from two to four, the limit on graduate assistant coaches.	No position. Noted that support, or lack thereof, may be contingent on the subdivision vote related to noncoaching staff members.
Proposal No. 2010-18-A	PERSONNEL -- LIMITATIONS ON THE NUMBER AND DUTIES OF COACHES -- NONCOACHING STAFF WITH SPORT-SPECIFIC RESPONSIBILITIES -- BOWL SUBDIVISION FOOTBALL -- LIMIT OF SIX	In bowl subdivision football, to specify that there shall be a limit of six noncoaching staff members whose responsibilities are specific to bowl subdivision football and who work directly for the football program who may be employed (either on a salaried or a volunteer basis) by the institution; further, to specify that clerical staff and managers who work exclusively for the football program are exempt from the application of this limitation.	No position. • Expressed concern as to whether the proposal as written can effectively address the identified concerns related to the proliferation of noncoaching sport-specific personnel, inasmuch as there are inherent difficulties in managing, enforcing and interpreting the legislation. • Sponsored an alternative proposal to specify that any individual who works in any capacity for the football program shall count against the limit of six noncoaching staff members, excluding clerical staff and managers.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-18-B	PERSONNEL -- LIMITATIONS ON THE NUMBER AND DUTIES OF COACHES -- NONCOACHING STAFF WITH SPORT-SPECIFIC RESPONSIBILITIES -- BOWL SUBDIVISION FOOTBALL -- LIMIT OF FIVE	In bowl subdivision football, to specify that there shall be a limit of five noncoaching staff members whose responsibilities are specific to bowl subdivision football and who work directly for the football program who may be employed (either on a salaried or a volunteer basis) by the institution; further, to specify that clerical staff, managers and video coordinators who work exclusively for the football program are exempt from the application of this limitation.	No position. Expressed competitive equity concerns resulting from the absence of any limitations on the number of video coordinators who may be employed.
Proposal No. 2010-19	PERSONNEL -- LIMITATION ON THE NUMBER AND DUTIES OF COACHES -- FOOTBALL BOWL SUBDIVISION -- WEIGHT OR STRENGTH COACH -- LIMIT OF FIVE	In bowl subdivision football, to specify that not more than five weight or strength coaches are permitted to work with a football program in any capacity, including all workouts (required or voluntary), practices and game-related activities.	No position. Expressed some concern as to whether sufficient data exists to support the proposed numerical limitation.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-20-A	PERSONNEL -- LIMITATIONS ON THE NUMBER AND DUTIES OF COACHES -- NONCOACHING STAFF WITH SPORT-SPECIFIC RESPONSIBILITIES -- CHAMPIONSHIP SUBDIVISION FOOTBALL -- LIMIT OF FOUR	In championship subdivision football, to specify that there shall be a limit of four noncoaching staff members whose responsibilities are specific to championship subdivision football and who work directly for the football program who may be employed (either on a salaried or a volunteer basis) by the institution; further to specify that clerical staff and managers who work exclusively for the football program are exempt from the application of this limitation.	No position. • Expressed concern as to whether the proposal as written can effectively address the identified concerns related to the proliferation of noncoaching sport-specific personnel, inasmuch as there are inherent difficulties in managing, enforcing and interpreting the legislation. • Sponsored an alternative proposal to specify that any individual who works in any capacity for the football program shall count against the limit of four noncoaching staff members, excluding clerical staff and managers.
Proposal No. 010-20-B	PERSONNEL -- LIMITATIONS ON THE NUMBER AND DUTIES OF COACHES -- NONCOACHING STAFF WITH SPORT-SPECIFIC RESPONSIBILITIES -- CHAMPIONSHIP SUBDIVISION FOOTBALL -- LIMIT OF THREE	In championship subdivision football, to specify that there shall be a limit of three noncoaching staff members whose responsibilities are specific to football and who work directly for the football program who may be employed (either on a salaried or a volunteer basis) by the institution; further, to specify that clerical staff, managers and video coordinators who work exclusively for the football program are exempt from the application of this limitation.	No position. Expressed competitive equity concerns resulting from the absence of any limitations on the number of video coordinators who may be employed.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-21	PERSONNEL -- LIMITATIONS ON NUMBER OF OFF-CAMPUS RECRUITERS AT ANY ONE TIME -- EXCEPTION -- SPORTS OTHER THAN BASKETBALL -- JUNE, JULY AND AUGUST	In sports other than basketball, to specify that during June, July and August, a coach replaced for the purpose of off-campus recruiting activities is not required to return to the institution's campus before engaging in additional recruiting activities, provided no more than the permissible number of off-campus recruiters in the particular sport engage in recruiting activities each day.	Preliminary support. Prefer Proposal No. 2010-21 instead of Proposal No. 2010-22 as it relates to all sports (other than basketball).
Proposal No. 2010-22	PERSONNEL -- LIMITATIONS ON NUMBER OF OFF-CAMPUS RECRUITERS AT ANY ONE TIME -- EXCEPTION -- BASEBALL -- JUNE, JULY AND AUGUST	In baseball, to specify that during June, July and August, a coach replaced for the purpose of off-campus recruiting activities is not required to return to the institution's campus before engaging in additional recruiting activities, provided no more than two coaches engage in off-campus recruiting activities each day.	Preliminary support. Prefer Proposal No. 2010-21 instead of Proposal No. 2010-22 as it relates to all sports (other than basketball).

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-24	AMATEURISM -- INVOLVEMENT WITH PROFESSIONAL TEAMS -- PROFESSIONAL BASKETBALL DRAFT -- FOUR-YEAR COLLEGE STUDENT-ATHLETE -- MEN'S BASKETBALL	In men's basketball, to specify that the date by which a student-athlete must request that his name be removed from a professional league's draft list in order to retain his eligibility shall be the day before the first day of the spring National Letter of Intent signing period for the applicable year.	No position. • Noted the current rule (May 8 withdrawal date) has only been in effect for one year. • Noted that the earlier date will provide greater opportunity for coaches to address roster issues, but expressed concern as to whether student-athletes would have adequate time to gather sufficient information related to their draft status. • Expressed concern that the earlier date may create unnecessary distractions at the end of the student-athlete's regular season. • Noted that the proposal's withdrawal date precedes the National Basketball Association's (NBA) application deadline so some student-athletes may not have declared for the NBA as of the day before the first day of the spring National Letter of Intent signing date.
Proposal No. 2010-25	AMATEURISM AND AWARDS, BENEFITS AND EXPENSES -- USE OF AGENTS -- BENEFITS, GIFTS AND SERVICES -- CAREER COUNSELING AND INTERNSHIP/JOB PLACEMENT SERVICES	To permit a student-athlete to use career counseling and internship/job placement services available exclusively to student-athletes, provided the student-athlete is not placed in a position in which the student-athlete uses his or her athletics ability.	No position. • Expressed concern regarding additional monitoring associated with internship/job placement exclusively for student-athletes and potential involvement of third parties (e.g., agents). • Noted that sufficient opportunities exist to use services available to the general student body.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-26	AMATEURISM -- PROMOTIONAL ACTIVITIES -- USE OF A STUDENT-ATHLETE'S NAME OR LIKENESS	To revise the regulations related to use of a student-athlete's name or likeness for promotions, advertisements and media activities, as specified.	No position. • Acknowledged the work of the NCAA Task Force on Commercial Activity in Division I Intercollegiate Athletics and their goal to help achieve balance with regard to commercial activities and the use of student-athlete's names or likenesses. • Noted the importance of the student-athlete's consent related to the use of his/her name/likeness by commercial entities, but some expressed concern as to whether the proposal sufficiently protects student-athletes from commercial exploitation.
Proposal No. 2010-27	RECRUITING -- CONTACTS AND TELEPHONE CALLS -- TIME PERIOD FOR OFF-CAMPUS CONTACTS AND TELEPHONE CALLS	To permit off-campus recruiting contacts with and telephone calls to a prospective student-athlete (or his or her relatives or legal guardians) on or after July 1 following completion of his or her junior year in high school, or the opening day of classes of his or her senior year in high school (as designated by the high school), whichever is earlier.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-28	RECRUITING -- CONTACTS AND EVALUATIONS -- HEAD COACH RESTRICTIONS -- BOWL SUBDIVISION FOOTBALL - ELIMINATION OF RESTRICTIONS ON ASSISTANT COACH PUBLICLY DESIGNATED AS NEXT HEAD COACH	In bowl subdivision football, to eliminate the restriction that specifies that an institution's assistant coach who has been publicly designated by the institution to become the next head coach shall be subject to the recruiting restrictions applicable to the institution's head coach.	Preliminary opposition.
Proposal No. 2010-29	RECRUITING -- CONTACTS AND EVALUATIONS -- HEAD COACH RESTRICTIONS -- ASSISTANT COACH PUBLICLY DESIGNATED AS NEXT HEAD COACH -- BOWL SUBDIVISION FOOTBALL -- APPLICATION TO PRIOR DESIGNATIONS	In bowl subdivision football, to specify that an assistant coach who was publicly designated before August 14, 2009, by the institution to become its next head coach is not subject to the recruiting restrictions applicable to the institution's head coach.	No position. Noted the affected institutions were provided a one-year grace period to address any potential issues related to the reassignment of the assistant coach's responsibilities.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-30	RECRUITING -- TELEPHONE CALLS -- TIME PERIOD FOR TELEPHONE CALLS -- SPORTS OTHER THAN FOOTBALL	In sports other than football, to specify that an institution may make one telephone call per month to an individual (or the individual's relatives or legal guardians) on or after June 15 at the conclusion of the individual's sophomore year in high school through July 31 after the individual's junior year in high school, two telephone calls per week beginning August 1 prior to the individual's senior year in high school and one telephone call per week to a two-year or four-year college prospective student-athlete (or the prospective student-athlete's relatives or legal guardians); further, in sports other than football for which a defined recruiting calendar applies, to specify that during a contact period that occurs on or after August 1 before an individual's senior year in high school, telephone calls may be made at the institution's discretion.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-31	PERSONNEL AND RECRUITING -- RECRUITING COORDINATION FUNCTIONS -- CONTACTS, TELEPHONE CALLS AND RECRUITING MATERIALS -- EXCEPTIONS -- COMMUNICATION AFTER COMMITMENT	To specify that the restrictions on the forms and frequency of communication between institutional administrators or coaching staff members and a prospective student-athlete (or prospective student athlete's relatives or legal guardians) shall no longer apply beginning the calendar day after: (1) the prospective student-athlete signs a National Letter of Intent (NLI) or, for an institution not using the NLI in a particular sport, or for a prospective student-athlete not eligible to sign an NLI (e.g., four-year college transfer), a signed acceptance of a written offer of admission and/or financial aid agreement; or (2) the institution receives a financial deposit in response to the institution's offer of admission.	No position. Some expressed concern regarding the impact of differences in institutional admissions standards and potential pressure placed on a prospect to pay the financial deposit.
Proposal No. 2010-32	RECRUITING -- TELEPHONE CALLS AND ELECTRONIC TRANSMISSIONS -- AFTER WRITTEN COMMITMENT OR RECEIPT OF FINANCIAL DEPOSIT -- ON OR AFTER SECOND WEDNESDAY OF NOVEMBER	To specify that on or after the second Wednesday of November of a prospective student-athlete's senior year in high school, there shall be no limit on the number of telephone calls by an institution to the prospective student-athlete and there shall be no limit on the forms of electronically transmitted correspondence that may be sent by an institution to the prospective student-athlete, provided the prospective student-athlete has signed the institution's written offer of admission and/or financial aid or the institution has received a financial deposit in response to the institution's offer of admission.	No position. Some expressed concern regarding the impact of differences in institutional admissions standards and potential pressure placed on a prospect to pay the financial deposit.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-33	RECRUITING -- CONTACTS AND EVALUATIONS -- RECRUITING OPPORTUNITIES -- WOMEN'S BASKETBALL -- SEVEN OPPORTUNITIES	In women's basketball, to increase, from five to seven, the number of recruiting opportunities (contacts and evaluations).	Preliminary support.
Proposal No. 2010-34	RECRUITING -- CONTACTS AND EVALUATIONS -- MEN'S BASKETBALL EVALUATIONS -- CERTIFIED NONSCHOLASTIC EVENTS DURING APRIL CONTACT PERIOD	In men's basketball, to specify that a coaching staff member may evaluate prospective student-athletes at certified nonscholastic events on Saturdays and Sundays during the April contact period.	No position. • Noted the Collegiate Commissioners Association plans to request that the Board of Directors sponsor a proposal eliminating the summer evaluation period. • Noted that there may be merit in conducting a more comprehensive review of the men's basketball recruiting calendar.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-35	RECRUITING -- BASKETBALL EVALUATIONS -- WOMEN'S BASKETBALL -- NONSCHOLASTIC EVALUATIONS DURING ACADEMIC YEAR -- NATIONAL STANDARDIZED TESTING WEEKENDS	In women's basketball, to specify that evaluations at nonscholastic events during the academic year evaluation period shall not occur during any weekend (including Friday, Saturday and Sunday) during which the PSAT, SAT, PLAN or ACT national standardized tests are administered; further, to specify that if such a test is administered on a date that conflicts with the fall nonscholastic evaluation weekend, evaluations at nonscholastic events shall be permissible during the first full weekend (including Friday, Saturday and Sunday) of the fall/winter evaluation period; and that if such a test is administered on a date that conflicts with the spring nonscholastic evaluation weekend, the five day evaluation period in April shall shift to the second Friday following the initial date of the spring National Letter of Intent signing period through the following Tuesday.	Preliminary support.
Proposal No. 2010-36	RECRUITING -- FOOTBALL EVALUATIONS -- SCHOLASTIC AND NONSCHOLASTIC ACTIVITIES -- OTHER EVALUATION EVENTS -- CHAMPIONSHIP SUBDIVISION FOOTBALL	In championship subdivision football, to specify that an institutional staff member may attend a recruiting event in which information (e.g., athletics or academic credentials, highlight or combine videos) related to prospective student-athletes is presented or otherwise made available.	FCS only. Preliminary support. Prefer Proposal No. 2010-37 instead of Proposal No. 2010-36 as it includes appropriate oversight by a scholastic entity.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-37	RECRUITING -- FOOTBALL EVALUATIONS -- SCHOLASTIC AND NONSCHOLASTIC ACTIVITIES -- OTHER EVALUATION EVENTS ORGANIZED OR SANCTIONED SCHOLASTIC ATHLETICS ASSOCIATION -- CHAMPIONSHIP SUBDIVISION FOOTBALL	In championship subdivision football, to specify that an institutional staff may attend a recruiting event in which information (e.g., athletics or academic credentials, highlight or combine video) related to prospective student-athletes is presented or otherwise made available, provided the event is organized or sanctioned by the applicable state high school athletics association, state preparatory school association or state or national junior college athletics association.	FCS only. Preliminary support. Prefer Proposal No. 2010-37 instead of Proposal No. 2010-36 as it includes appropriate oversight by a scholastic entity.
Proposal No. 2010-38	RECRUITING -- RECRUITING MATERIALS -- ATHLETICS PUBLICATIONS -- NO MEDIA GUIDES TO PROSPECTIVE STUDENT-ATHLETES VIA DIGITAL STORAGE DEVICE OR E-MAIL	To prohibit an institution from providing a media guide to a prospective student-athlete via digital media storage device or as an attachment to electronic mail.	Preliminary support. Noted that an alternative proposal will be submitted by the Division I Recruiting and Athletics Personnel Issues Cabinet to permit an institution to provide a media guide to a prospect as an attachment to electronic mail.
Proposal No. 2010-39	RECRUITING -- RECRUITING MATERIALS -- MEDIA GUIDES AND VIDEO/AUDIO MATERIALS -- METHODS OF DELIVERY TO PROSPECTIVE STUDENT-ATHLETES	To specify that an institution may provide a media guide and permissible video or audio material to a prospective student-athlete via an electronic mail hyperlink, an electronic mail attachment or an electronic media storage device (e.g., compact disc, flash drive); further, to specify that an institution is limited to providing a media guide or video or audio material to a prospective student-athlete via electronic media storage device one time.	No Position. Expressed concerns regarding institutions providing a media guide to a prospect via any media storage device (as opposed to a hyperlink or attachment to e-mail).

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-40	RECRUITING -- OFFICIAL (PAID) VISIT -- LIMITATIONS ON OFFICIAL VISITS -- NO VISIT AFTER NATIONAL LETTER OF INTENT OR OTHER WRITTEN COMMITMENT	To specify that after signing a National Letter of Intent, a prospective student-athlete shall not make an official visit to the institution with which he or she has signed; further, to specify that for an institution not using the National Letter of Intent in a particular sport, or for a prospective student-athlete who is not eligible to sign a National Letter of Intent (e.g., four-year college transfer), the prospective student-athlete shall not make an official visit to the institution after he or she has signed the institution's written offer of admission and/or financial aid.	Preliminary opposition. Noted that an official visit even after the prospect has committed to the institution can be valuable in assisting a prospect with the adjustment to college life. Some prospects (e.g. international prospects) commit to an institution prior to making any visit.
Proposal No. 2010-41	RECRUITING -- UNOFFICIAL (NONPAID) VISIT -- ENTERTAINMENT/TICKETS -- GENERAL RESTRICTIONS -- NONTRADITIONAL FAMILY	To specify that if a prospective student-athlete is a member of a nontraditional family (e.g., divorce, separation), an institution may provide up to two additional complimentary admissions to the prospective student-athlete in order to accommodate the parents accompanying the prospective student-athlete (e.g., stepparents) to attend a home athletics event during an unofficial visit.	No position. Engaged in some discussion about eliminating references to nontraditional family and establishing a set number of complimentary admissions (i.e., five), however expressed concern regarding potential pressure to accommodate the prospect and those accompany the prospect on a regular basis.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-42	RECRUITING -- LETTER-OF-INTENT PROGRAMS, FINANCIAL AID AGREEMENTS -- REQUIREMENTS FOR VERBAL OFFER OF ATHLETICALLY RELATED FINANCIAL AID	To specify that an institution shall not make a verbal offer of athletically related financial aid to an individual, directly or indirectly, before July 1 following his or her junior year in high school; further, to specify that an institution must have a high school transcript (official or unofficial) on file that includes the results of the individual's first five semesters or seven quarters of high school enrollment before extending a verbal offer of financial aid.	Preliminary opposition. Noted the concerns regarding the practice of extending early verbal offers of athletically related financial aid, but expressed concern regarding difficulties in monitoring/enforcing such legislation. Some expressed concern that the proposed date may have the unintended consequence of increasing the nonscholastic influences in the recruiting process.
Proposal No. 2010-43	RECRUITING -- TRYOUTS -- PROHIBITED ACTIVITIES -- COMPETITION AGAINST PROSPECTIVE STUDENT-ATHLETES -- BOWL SUBDIVISION FOOTBALL -- SERVICE ACADEMY EXCEPTION	In bowl subdivision football, to specify that a national service academy's subvarsity team may compete against a two-year college team, a high school team or a preparatory school team, provided no payment or other inducement (e.g., guarantee) is provided to such a team and no recruiting activities occur with members of such a team in conjunction with the competition.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-44	RECRUITING -- TRYOUTS -- TRYOUT EVENTS -- PROHIBITION ON HOSTING, SPONSORING OR CONDUCTING NONINSTITUTIONAL INSTRUCTIONAL EVENTS -- FOOTBALL	In football, to specify that an institution or conference shall not host, sponsor or conduct a noninstitutional camp, clinic, group workout or combine event, at any location, that provides instruction to prospective student-athletes.	Football Bowl Subdivision (FBS) – No position. Noted potential competitive equity issues, but also expressed concerns regarding unintended consequences of limiting access to instructional opportunities for football prospects based on limited availability of adequate facilities. FCS – preliminary opposition.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-45	RECRUITING AND PLAYING AND PRACTICE SEASONS -- TRYOUT EXCEPTIONS AND OUT-OF-SEASON RESTRICTIONS -- RECOGNIZED TRAINING AND DEVELOPMENT PROGRAMS	To specify that in order for an athletics department staff member or coach to participate in state, regional, national and international training programs involving prospective student-athletes, the staff member must be selected by the applicable governing body and the participants are selected by an authority or a committee of the applicable governing body that is not limited to athletics department staff members affiliated with one institution; further, to specify that Olympic and national team development programs may involve a coach and current student-athletes from the same institution, provided (in addition to existing criteria) a committee or other authority of the national governing body, which is not limited to coaches affiliated with one particular institution, selects the involved participants and the national governing body funds the program.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-46	RECRUITING -- TRYOUTS -- TRYOUT EXCEPTIONS -- HIGH SCHOOL, PREPARATORY-SCHOOL AND TWO-YEAR COLLEGE CONTESTS -- CONDUCTED BY INSTITUTION OR SPONSORED WITH AN OUTSIDE ORGANIZATION	To revise the requirements by which a high school, preparatory school or two-year college athletics contest or match, conducted by a member institution or sponsored jointly with an outside organization and held on the campus of a member institution, shall not be considered a tryout, as specified.	No position. Noted that the current criteria (the event appears on the prospects' schedule, the event must be approved prior to the season) are not realistic in today's environment.
Proposal No. 2010-47	RECRUITING -- USE OF RECRUITING FUNDS -- RECRUITING OR SCOUTING SERVICES -- VIDEO-ONLY SERVICES	To specify that an institution is permitted to use or subscribe to a video service that only provides video of prospective student-athletes and does not provide information about or analysis of prospective student-athletes, subject to the criteria that permits an institution to subscribe to a recruiting or scouting service, except that the video-only service is not required to disseminate information about prospective student-athletes at least four times a year and is not required to provide individual analysis for each prospective student-athlete in the information it disseminates.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-48	RECRUITING -- USE OF RECRUITING FUNDS -- RECRUITING OR SCOUTING SERVICES -- LIST OF PERMISSIBLE RECRUITING SERVICES -- MEN'S BASKETBALL	In men's basketball, to specify that the NCAA national office shall publish a list, on a quarterly basis, of men's basketball recruiting or scouting services deemed to meet the required standards for subscription.	Preliminary support.
Proposal No. 2010-49	RECRUITING -- RECRUITING CALENDARS -- MEN'S BASKETBALL -- APRIL CONTACT PERIOD	In men's basketball, to revise the recruiting calendar by extending the contact period in April by nine days, but designating the weekends in April after the Division I Men's Basketball Championship as quiet periods.	No position. • Noted the potential conflict in adopting both Proposal No. 2010-34 and Proposal No. 2010-49. • Noted the Collegiate Commissioners Association plans to request that the Board of Directors sponsor a proposal eliminating the summer evaluation period. • Noted that there may be merit in conducting a more comprehensive review of the men's basketball recruiting calendar.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-51	ELIGIBILITY -- GENERAL ELIGIBILITY REQUIREMENTS -- FULL-TIME ENROLLMENT -- REQUIREMENT FOR COMPETITION -- NONTRADITIONAL COURSES	To specify that enrollment in a nontraditional course (e.g., distance-learning, correspondence, extension, Internet/virtual courses, independent study or any other course or credit that is not earned in a face-to-face classroom environment with regular interaction between the instructor and the student) offered by the certifying institution may be used to satisfy the full-time enrollment requirement for competition, provided specified conditions are met.	Preliminary support. • Agreed that a student-athlete should be provided similar access to nontraditional courses as all students at his/her institution, but also noted the value of campus integration associated with the traditional classroom environment. • Sponsored an alternative proposal to specify that enrollment in a nontraditional course (e.g., distance-learning, correspondence, extension, Internet/virtual courses, independent study or any other course or credit that is not earned in a face-to-face classroom environment with regular interaction between the instructor and the student) offered by the certifying institution may be used to satisfy up to 50 percent of the minimum full-time enrollment requirement for competition, provided specified conditions are met.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-52	ELIGIBILITY -- GRADUATE STUDENT/POSTBACCALAUREATE PARTICIPATION -- ONE-TIME TRANSFER EXCEPTION -- FINAL YEAR OF ELIGIBILITY -- NONRENEWAL OF ATHLETICS AID AT PREVIOUS INSTITUTION -- BASEBALL, BASKETBALL, FOOTBALL AND MEN'S ICE HOCKEY	In baseball, basketball, football and men's ice hockey, to permit a student-athlete who is enrolled in a graduate or professional school of an institution other than the institution from which he or she previously received a baccalaureate degree to participate in intercollegiate athletics, provided the student-athlete meets the conditions of the one-time transfer exception (other than the sport restrictions), has one season of competition remaining and the student-athlete's previous institution did not renew his or her athletically related financial aid for the following academic year.	FBS - preliminary support. FCS - preliminary Support. All other Division I (applicable to baseball, basketball, ice hockey) - preliminary support.
Proposal No. 2010-53	ELIGIBILITY -- SEASONS OF COMPETITION: FIVE YEAR RULE -- DELAYED ENROLLMENT -- SEASONS OF COMPETITION -- SPORTS OTHER THAN MEN'S ICE HOCKEY AND SKIING -- EXCEPTION -- NATIONAL/INTERNATIONAL COMPETITION	In sports other than men's ice hockey and skiing, to exempt a prospective student-athlete's participation in organized national/international competition from the application of the delayed enrollment, seasons of competition legislation for a maximum of one year after his or her first opportunity to enroll following the one-year time period after his or her high school graduation date or the graduation date of his or her class, whichever occurs earlier, as specified.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-54	ELIGIBILITY -- SEASONS OF COMPETITION: FIVE-YEAR RULE -- HARDSHIP WAIVER -- FIRST HALF OF PLAYING SEASON CALCULATION -- TENNIS	In tennis, to specify that the first half of the season calculation is based on the number of days in the season that concludes with the NCAA championship, as declared by the institution, between the first date of competition used by any individual on the team after the conclusion of the institution's fall term and the last date of competition used by any individual on the team at the end of the declared playing season.	Preliminary opposition.
Proposal No. 2010-55	ELIGIBILITY -- INITIAL ELIGIBILITY -- COMMON PROVISIONS -- DIVISION I AND DIVISION II	To change the voting line for bylaws related to initial eligibility from federated to common for Division I and Division II, as specified.	Preliminary support.
Proposal No. 2010-56	ELIGIBILITY -- FRESHMAN ACADEMIC REQUIREMENTS -- CORE-CURRICULUM TIME LIMITATION -- LEAVING EXAMINATIONS	To specify that the eligibility of an international prospective student-athlete whose prescribed educational path culminates with a leaving examination shall be determined based on the leaving examination, regardless of a delay in graduation or completion of the leaving examination.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-57	ELIGIBILITY -- FRESHMAN AND TRANSFER ACADEMIC REQUIREMENTS -- PARTICIPATION PRIOR TO CERTIFICATION -- RECRUITED STUDENT-ATHLETE -- 21-DAY PERIOD	To increase the temporary certification period for a recruited student-athlete from 14 days to 21 days.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-58	ELIGIBILITY, FINANCIAL AID AND PLAYING AND PRACTICE SEASONS -- SUMMER ACADEMIC PREPARATION AND COLLEGE ACCLIMATIZATION -- MEN'S BASKETBALL	In men's basketball, to establish a summer academic preparation and college acclimatization model, as specified.	No position. • Acknowledged the work of the Basketball Academic Enhancement Group in developing a summer academic preparation model and college acclimatization model in an effort to improve the academic performance of men's basketball student-athletes. • Some expressed concern that the institutional assessment may result in a de facto conclusion in order to gain access to the summer athletics development activities. • Some expressed concern regarding potential costs associated with such an initiative. • Noted that the Division I Academic Cabinet will ask the Board of Directors to modify the proposal to require incoming men's basketball student-athletes who attend summer school and engage in the summer athletics development activities to successfully complete six (as opposed to three)hours of acceptable degree credit toward any of the institution's degree programs in order to be eligible to compete in the first regular term of full-time enrollment.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-59-A	ELIGIBILITY -- PROGRESS-TOWARD-DEGREE REQUIREMENTS -- ELIGIBILITY FOR COMPETITION -- FULFILLMENT OF CREDIT HOUR REQUIREMENTS -- FALL TERM ACADEMIC REQUIREMENTS FOR FUTURE COMPETITION -- POTENTIAL TO REGAIN ELIGIBILITY FOR TWO CONTESTS -- FOOTBALL	In football, to specify that a student-athlete who does not successfully complete nine-semester hours or eight-quarter hours of academic credit during the fall term and earn the Academic Progress Rate eligibility point for the fall term shall not be eligible to compete in the first four contests against outside competition in the following playing season; further, to specify that the student-athlete may regain eligibility to compete in the third and fourth contests of that season, provided he or she successfully completes at least 27-semester hours or 40-quarter hours of academic credit before the beginning of the next fall term.	FCS – preliminary support. FBS – no position. • Acknowledged the work of the Football Academic Working Group in developing the proposal to improve the academic performance of football student-athletes. • Noted that further discussion should take place prior to the January vote regarding the appropriate penalties for failure to meet the eight quarter/nine semester credit hour requirement during the fall term.
Proposal No. 2010-59-B	ELIGIBILITY -- PROGRESS-TOWARD-DEGREE REQUIREMENTS -- ELIGIBILITY FOR COMPETITION -- FULFILLMENT OF CREDIT HOUR REQUIREMENTS -- FALL TERM ACADEMIC REQUIREMENTS FOR FUTURE COMPETITION -- POTENTIAL TO REGAIN FULL ELIGIBILITY -- FOOTBALL	In football, to specify that a student-athlete who does not successfully complete nine-semester hours or eight-quarter hours of academic credit during the fall term and earn the Academic Progress Rate eligibility point for the fall term shall not be eligible to compete in the first four contests against outside competition in the following playing season; further, to specify that the student-athlete may regain eligibility to compete in the first four contests against outside competition in the following playing season, provided he or she successfully completes at least 27-semester hours or 40-quarter hours of academic credit before the beginning of the next fall term.	FCS – preliminary opposition. FBS- no position. Noted that further discussion should take place prior to the January vote regarding the appropriate penalties for failure to meet the eight quarter/nine semester credit hour requirement during the fall term.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-59-C	ELIGIBILITY -- PROGRESS-TOWARD-DEGREE REQUIREMENTS -- ELIGIBILITY FOR COMPETITION -- FULFILLMENT OF CREDIT HOUR REQUIREMENTS -- FALL TERM ACADEMIC REQUIREMENTS FOR FUTURE COMPETITION -- ONE-TIME EXCEPTION TO REGAIN FULL ELIGIBILITY -- FOOTBALL	In football, to specify that a student-athlete who does not successfully complete nine-semester hours or eight-quarter hours of academic credit during the fall term and earn the Academic Progress Rate eligibility point for the fall term shall not be eligible to compete in the first four contests against outside competition in the following playing season; further, to specify that the student-athlete may regain eligibility to compete in the third and fourth contests of that season, provided he or she successfully completes 27-semester hours or 40-quarter hours of academic credit before the beginning of the next fall term; finally, to specify that one time during a student-athlete's five-year period of eligibility, a student-athlete may regain eligibility to compete in the first four contests against outside competition in the following playing season, provided he or she successfully completes at least 27-semester hours or 40-quarter hours of academic credit before the beginning of the next fall term.	FCS – preliminary opposition. FBS- no position. Noted that further discussion should take place prior to the January vote regarding the appropriate penalties for failure to meet the eight quarter/nine semester credit hour requirement during the fall term.
Proposal No. 2010-60	ELIGIBILITY -- PROGRESS-TOWARD-DEGREE REQUIREMENTS -- REGULATIONS FOR ADMINISTRATION OF PROGRESS TOWARD DEGREE -- NONTRADITIONAL COURSES	To specify that nontraditional courses (e.g., distance-learning, correspondence, extension, Internet/virtual courses, independent study or any other course or credit that is not earned in a face-to-face classroom environment with regular interaction between the instructor and the student) completed at an institution other than the certifying institution, may be used to meet credit-hour and percentage-of-degree requirements, provided specified conditions are met.	No position. Agreed that a student-athlete should be provided similar access to nontraditional courses as all students at his/her institution, but also noted the value of campus integration associated with the traditional classroom environment.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-61	FINANCIAL AID -- GENERAL PRINCIPLES -- ELIGIBILITY OF STUDENT-ATHLETES FOR INSTITUTIONAL FINANCIAL AID -- EXCEPTION -- PART TIME ENROLLMENT AFTER EXHAUSTED ELIGIBILITY	To specify that an institution may provide financial aid to a student-athlete who has exhausted eligibility in his or her sport and is enrolled in less than a minimum full-time program of studies, provided the student-athlete is carrying for credit the courses necessary to complete degree requirements, or the student-athlete is carrying for credit all the degree-applicable courses necessary to complete his or her degree requirements that are offered by the institution during that term.	Preliminary support.
Proposal No. 2010-62	FINANCIAL AID -- DEFINITIONS AND APPLICATIONS -- EXEMPTED INSTITUTIONAL FINANCIAL AID -- FEDERAL NEED-BASED FINANCIAL AID	To specify that federal government grants awarded based on a student's demonstrated financial need are considered exempted institutional financial aid and are not counted in determining the institution's financial aid limitations, regardless of whether the institution is responsible for selecting the recipient or determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-63	FINANCIAL AID -- DEFINITIONS AND APPLICATIONS -- EXEMPTED INSTITUTIONAL FINANCIAL AID -- STATE NEED-BASED FINANCIAL AID	To specify that state government grants awarded based on a student's demonstrated financial need, regardless of whether the institution is responsible for selecting the recipient or determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient is not included in determining the institution's financial aid limitations, provided the aid is administered in accordance with the federal methodology for determining a student's financial need and has no relationship to athletics ability; however, such aid is not exempt in determining a student-athlete's counter status for purposes of applying the football or basketball, varsity competition legislation.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-64	FINANCIAL AID -- DEFINITIONS AND APPLICATIONS -- EXEMPTED INSTITUTIONAL FINANCIAL AID -- STATE MERIT-BASED FINANCIAL AID	To specify that state government merit-based grants are considered exempted institutional financial aid and are not counted in determining the institution's financial aid limitations, regardless of whether the institution is responsible for selecting the recipient or determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient, provided the aid is awarded consistent with the criteria of the legislative requirements of an academic honor award or institutional academic scholarship and has no relationship to athletics ability; however, such aid is not exempt in determining a student-athlete's counter status for purposes of applying the football or basketball, varsity competition legislation.	Preliminary support.
Proposal No. 2010-65	FINANCIAL AID -- DEFINITIONS AND APPLICATIONS -- RECRUITED STUDENT-ATHLETE	To establish a definition of "recruited student-athlete" for purposes of Bylaw 15, as specified.	FBS - preliminary support. FCS - preliminary support. All other Division I sports preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-66	FINANCIAL AID AND AWARDS, BENEFITS AND EXPENSES -- TRAINING-TABLE MEALS -- ONE MEAL PER DAY -- STUDENT-ATHLETES NOT RECEIVING FULL BOARD	To permit an institution to provide one training-table meal per day to a student-athlete who does not receive athletically related institutional financial aid that covers the full cost of board; further, to specify that the provision of the one training-table meal per day to such a student-athlete shall not be considered financial aid.	Preliminary opposition.
Proposal No. 2010-67	FINANCIAL AID -- GOVERNMENT GRANTS -- EXEMPTED GOVERNMENT GRANTS -- EXEMPTED INSTITUTIONAL FINANCIAL AID -- POST-9/11 G.I. BILL	To exempt benefits received by student-athletes under the Post-9/11 G.I. Bill, including payments made by the Department of Veterans Affairs pursuant to the Yellow Ribbon G.I. Education Enhancement Program, from counting toward a student-athlete's individual limit; further, to specify that matching payments made by the Department of Veterans Affairs pursuant to the Yellow Ribbon G.I. Education Enhancement Program are not counted in determining the institution's financial aid limitations.	Preliminary support.
Proposal No. 2010-68	FINANCIAL AID -- ELEMENTS OF FINANCIAL AID -- FINANCIAL AID FROM OUTSIDE SOURCES -- UNRELATED TO ATHLETICS ABILITY -- ESTABLISHED FAMILY FRIEND	To specify that a student-athlete may receive financial aid from an established family friend, provided specified conditions are met.	Preliminary opposition.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-69	FINANCIAL AID -- FINANCIAL AID FROM OUTSIDE SOURCES -- FINANCIAL AID FROM AN ESTABLISHED AND CONTINUING PROGRAM	To specify that a student-athlete may receive financial aid through an established and continuing program to aid students, provided: (a) the recipient's choice of institutions is not restricted by the donor of the aid; (b) there is no direct connection between the donor and the student-athlete's institution; and (c) if the total value of the aid received by the student-athlete exceeds ten percent of the value of the institution's full grant-in-aid, documentation of the aid received by the student-athlete must be kept on file with the institution's conference office.	No position. Sponsored an alternative proposal to eliminate the requirement that if the total value of the aid received by the student-athlete exceeds ten percent of the value of the institution's full grant-in-aid, documentation of the aid received by the student-athlete must be kept on file with the institution's conference office.
Proposal No. 2010-70	FINANCIAL AID -- SUMMER FINANCIAL AID -- ENROLLED STUDENT-ATHLETES -- EXCEPTION FOR FIRST-TIME RECIPIENT IN THE NEXT ACADEMIC YEAR	To specify that a student-athlete who has not received athletically related aid from the certifying institution during a previous academic year may receive athletically related financial aid to attend the institution's summer term or summer school, provided the student-athlete has been awarded athletically related financial aid for the following academic year and the aid is awarded only in proportion to the amount of athletically related financial aid the student will receive for the following academic year.	No position. Noted that the Student-Athlete Opportunity Fund currently is used to provide financial aid for summer school.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-71	FINANCIAL AID -- TERMS AND CONDITIONS -- PERIOD OF INSTITUTIONAL AWARD -- ONE-YEAR PERIOD -- EXCEPTIONS -- GRADUATED DURING PREVIOUS ACADEMIC YEAR AND WILL EXHAUST ELIGIBILITY DURING THE FOLLOWING FALL TERM	To specify that a student-athlete who graduated during the previous academic year (including summer) and will exhaust his or her athletics eligibility during the following fall term may be awarded athletically related financial aid for less than one academic year.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-72	FINANCIAL AID -- TERMS AND CONDITIONS OF AWARDING INSTITUTIONAL FINANCIAL AID -- REDUCTION OR CANCELLATION PERMITTED -- RELEASE OF OBLIGATION TO PROVIDE ATHLETICALLY RELATED FINANCIAL AID	To specify that before becoming a counter for an academic year, if a prospective student-athlete or student-athlete is awarded institutional financial aid unrelated to athletics that is of equal or greater value than his or her signed award of athletically related financial aid, the prospective student-athlete or student-athlete may, on his or her initiative, release the institution of its obligation to provide the athletically related financial aid.	No position. • Noted that institutions currently can structure financial aid agreements to permit the replacement of athletically related aid with non-athletics aid. • Expressed concern regarding the requirement that the prospect or student-athlete, "on his or her initiative" may release the institution of its obligation to provide athletically related aid and sought additional input from the Student-Athlete Advisory Committee on that issue. • Noted that a prospect's National Letter of Intent will become void if he/she no longer will be receiving any athletically related financial aid.
Proposal No. 2010-73	FINANCIAL AID -- COUNTERS AND EQUIVALENCY COMPUTATIONS -- REQUIRED GRADE-POINT AVERAGE TO QUALIFY FOR EXEMPTIONS OF COUNTER STATUS AND COUNTABLE INSTITUTIONAL AID -- REDUCTION FROM 3.300 TO 3.000	To reduce the necessary cumulative transferable grade-point to exempt institutional financial aid awarded to transfer student-athletes (and the grade-point average at the certifying institution for renewals) and institutional academic scholarships based solely on the recipient's academic record at the certifying institution from team limits from 3.300 to 3.000; further, in football and basketball, to reduce the necessary cumulative grade-point average at the certifying institution to meet the "institutional academic aid only" exception to counter status from 3.300 to 3.000.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-74	FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT -- EXECUTED FINANCIAL AID AWARDS AND WRITTEN OFFERS EXCEEDING MAXIMUM ALLOWABLE AWARDS -- BASEBALL	In baseball, to specify that for an ensuing academic year, the combination of executed athletically related financial aid awards and outstanding written offers of athletically related financial aid to prospective student-athletes and student-athletes shall not exceed the maximum number of permissible awards by more than one equivalency; further, to specify that the overage may be divided among not more than two individuals (student-athletes or prospective student-athletes).	Preliminary opposition.
Proposal No. 2010-75	FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT -- EQUIVALENCY COMPUTATIONS -- CALCULATION OF BOOKS	To increase the financial aid equivalency figure for calculation purposes for books from $400 to $800; further, to specify that if a student-athlete receives any portion of a book allowance, $800 shall be used in the numerator and denominator of the equivalency calculation.	No position. • Noted that the proposal could result in an increase or decrease in a student-athlete's equivalency value depending on the element of financial aid being awarded to the student-athlete. • Discussed, but took no action, to delay the effective date.
Proposal No. 2010-76	FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT -- WOMEN'S BASKETBALL	In women's basketball, to reduce the annual limit on the number of counters at each institution from 15 to 13.	Preliminary opposition.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-77	FINANCIAL AID AND DIVISION MEMBERSHIP -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATION -- FOOTBALL CHAMPIONSHIP SUBDIVISION DOMINANT PROVISIONS	To change the voting line of NCAA Bylaw 15.5.6.2 from federated (FCS) to Football Championship Subdivision dominant (FCSD) and to change the voting line of Bylaw 20.9.8 and its subsections from federated (FCS) to Football Championship Subdivision (FCSD).	FCS only. Preliminary support.
Proposal No. 2010-78	FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS -- FOOTBALL LIMITATIONS -- INITIAL COUNTERS -- MIDYEAR REPLACEMENT -- OPTION TO COUNT INITIAL YEAR OF AWARD	In football, to specify that an initial counter who replaces a midyear graduate may be counted against the initial limit for the year in which the aid is awarded (if the institution's annual limit has not been reached) or for the following academic year.	FBS - preliminary support. FCS - preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-79	AWARDS, BENEFITS AND EXPENSES -- PERMISSIBLE EXPENSES FOR STUDENT-ATHLETE'S FRIENDS AND RELATIVES -- COMPLIMENTARY ADMISSIONS TO INSTITUTIONAL AWARDS BANQUETS -- ONE-TIME EXCEPTION -- PARENTS/LEGAL GUARDIANS	To specify that, on one occasion during the final academic year of a student-athlete's athletics eligibility, an institution may provide complimentary admissions for the student-athlete's parents or legal guardians to attend an institutional awards banquet at which the student-athlete is being honored.	Preliminary support.
Proposal No. 2010-80	AWARDS, BENEFITS AND EXPENSES -- EXPENSES PROVIDED BY THE INSTITUTION FOR PRACTICE -- SWIMMING AND DIVING -- EXCEPTION FOR PLATFORM DIVING	In swimming and diving, to specify that if an institution does not have access to a diving platform within the mileage limitations of Bylaw 16.8.1.1, the institution may provide expenses for diving practice sessions at a site located outside the mileage limitations that includes a diving platform.	Preliminary support. Recommend that the sponsors clarify that the diving sessions must be at the closest available site outside the mileage limitations that includes a diving platform.
Proposal No. 2010-81	AWARDS, BENEFITS AND EXPENSES -- PERMISSIBLE EXPENSES PROVIDED BY THE INSTITUTION FOR COMPETITION -- TRAVEL SQUAD LIMITS	To establish travel squad limits for regular season, away-from-home competition, including exhibitions/scrimmages, nonchampionship segment competition and conference championships and neutral site competitions, as specified.	Preliminary opposition.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-82	AWARDS, BENEFITS AND EXPENSES -- EXPENSES PROVIDED BY THE INSTITUTION FOR PRACTICE AND COMPETITION -- TRAVEL TO NCAA CHAMPIONSHIPS, NATIONAL GOVERNING BODY CHAMPIONSHIPS IN EMERGING SPORTS AND POSTSEASON BOWL GAMES DURING VACATION PERIOD -- EXCEPTIONS AND INCIDENTAL EXPENSES	To specify that if an student-athlete does not use team travel to NCAA championships, NGB championships in emerging sports and postseason bowl games during a vacation period, the institution may only provide actual and necessary transportation costs for the student-athlete to travel from: campus to the event site and back to campus; campus to the student-athlete's home and back to campus; or the student-athlete's home to the event site and back home; further, to specify that reimbursement for automobile mileage shall not exceed the rate provided to institutional staff members and shall be limited to not more than 400 miles one-way; finally, to increase, from $20 to $55, the amount of money that an institution may provide to each member of the squad to cover unitemized incidental expenses during travel and practice for such events.	Preliminary support for subparagraph-a. No position on subparagraph-b. • Noted that the subparagraphs may be voted on separately. • Agreed that subparagraph-a should include additional scenarios for which actual and necessary costs may be covered (e.g., campus to event site and back home, home to event site and back to campus). • Expressed concern regarding the purpose for the increase the incidental expenses in subparagraph b and how such an amount was established.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-83	AWARDS, BENEFITS AND EXPENSES -- EXPENSES PROVIDED BY THE INSTITUTION FOR PRACTICE AND COMPETITION -- NONPERMISSIBLE -- LODGING IN CONJUNCTION WITH A REGULAR-SEASON HOME CONTEST -- CHAMPIONSHIP SUBDIVISION FOOTBALL	In championship subdivision football, to specify that an institution shall not provide lodging (e.g., hotel, motel) to any student-athlete in conjunction with a regular-season home contest.	FCS only. Preliminary support.
Proposal No. 2010-84	AWARDS, BENEFITS AND EXPENSES -- PARTICIPATION AWARDS -- MAXIMUM VALUE OF AWARD -- INCREASE TO MAXIMUM VALUES	To increase the limitation on the maximum value of the annual participation award for a senior by $100 and to increase the limitation on the maximum value for all other participation awards by $50, as specified.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-85	PLAYING AND PRACTICE SEASONS AND RECRUITING -- VOLUNTARY WORKOUTS -- STRENGTH AND CONDITIONING COACH FIRST AID/CPR CERTIFICATION AND AUTHORITY OF SPORTS MEDICINE STAFF -- SPORTS OTHER THAN FOOTBALL	In sports other than football, to specify that a strength and conditioning coach who conducts voluntary weight-training or conditioning activities is required to maintain certification in first aid and cardiopulmonary resuscitation; further, to specify that if a member of the institution's sports medicine staff (e.g., athletic trainer, physician) is present during voluntary conditioning activities conducted by a strength and conditioning coach, the sports medicine staff member must be empowered with the unchallengeable authority to cancel or modify the workout for health and safety reasons, as he or she deems appropriate.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-86	PLAYING AND PRACTICE SEASONS -- GENERAL PLAYING SEASON REGULATIONS -- NO MISSED CLASS TIME IN CONJUNCTION WITH NONCHAMPIONSHIP SEGMENT COMPETITION -- BASEBALL, CROSS COUNTRY, FIELD HOCKEY, LACROSSE, SOCCER AND VOLLEYBALL	In baseball, men's and women's cross country (without indoor or outdoor track and field), field hockey, men's and women's lacrosse, men's and women's soccer and men's and women's volleyball, to specify that no class time shall be missed in conjunction with competition during the nonchampionship segment, including activities associated with such competition (e.g., travel and other pregame or postgame activities).	No position. • Expressed concerns over potential lost competitive opportunities depending on the institution's geographic location. • Noted that spring sports use the nonchampionship fall segment to determine their squad for the spring championship season.
Proposal No. 2010-87	PLAYING AND PRACTICE SEASONS -- NONCHAMPIONSHIP SEGMENT -- TRAVEL RESTRICTIONS -- CROSS COUNTRY, FIELD HOCKEY, SOCCER, SOFTBALL AND VOLLEYBALL -- HAWAII OR ALASKA EXCEPTION -- ONCE IN FOUR YEARS	In men's and women's cross country (for institutions without indoor or outdoor track and field), field hockey, men's and women's soccer, softball and men's and women's volleyball, to specify that, once every four years, an institution may use any form of transportation for travel to Hawaii or Alaska for nonchampionship segment competition against an active member institution located in Hawaii or Alaska.	Preliminary support. Noted that if Proposal No. 2010-86 is adopted, an amendment would be necessary to permit missed class time in conjunction with competition.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-88	PLAYING AND PRACTICE SEASONS -- NONCHAMPIONSHIP SEGMENT -- CROSS COUNTRY, FIELD HOCKEY, WOMEN'S LACROSSE, SOCCER, SOFTBALL AND VOLLEYBALL -- TWO DATES OF COMPETITION -- ONE AWAY-FROM HOME DATE	In men's and women's cross country, field hockey, women's lacrosse, men's and women's soccer, softball and men's and women's volleyball, to specify that an institution is limited to two dates of competition during the nonchampionship segment, of which only one date may be an away-from-home date of competition.	No position. • Expressed concerns over potential lost competitive opportunities. • Noted that spring sports use the nonchampionship fall segment to determine their squad for the spring championship season.
Proposal No. 2010-89	PLAYING AND PRACTICE SEASONS -- BASKETBALL -- LOCATION OF QUALIFYING REGULAR-SEASON MULTIPLE-TEAM EVENT -- THE BAHAMAS	In basketball, to specify that a qualifying regular-season multiple-team event may occur in the Commonwealth of The Bahamas.	Preliminary support.
Proposal No. 2010-90	PLAYING AND PRACTICE SEASONS -- WOMEN'S BOWLING -- PRESEASON PRACTICE AND FIRST DATE OF COMPETITION -- OCTOBER 1	In women's bowling, to specify that an institution shall not commence practice sessions or engage in its first date of competition with outside competition prior to October 1.	Preliminary support.
Proposal No. 2010-91	PLAYING AND PRACTICE SEASONS -- WOMEN'S BOWLING -- NUMBER OF DATES OF COMPETITION	In women's bowling, to specify that an institution shall limit its total playing schedule with outside competition to and that an individual student-athlete may participate in, each academic year, 32 dates of competition; further, to include all dates of competition of a tournament in the maximum limitation.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-92	PLAYING AND PRACTICE SEASONS -- CHAMPIONSHIP SUBDIVISION FOOTBALL -- PRESEASON PRACTICE -- LIMIT ON NUMBER OF PARTICIPANTS	In championship subdivision football, to increase the number of participants who may engage in practice activities prior to the institution's first day of classes or the institution's first contest, whichever is earlier, from 90 to 95.	FCS only. Preliminary support.
Proposal No. 2010-93	PLAYING AND PRACTICE SEASONS -- RIFLE -- DATES OF COMPETITION -- MULTIPLE-DAY CONTESTS	In rifle, to specify that an institution that participates in a match that exceeds one day in duration may count the multiple-day contest as a single date of competition; further, to specify that if student-athlete fires more than one score for either smallbore rifle or air rifle during a multiple-day contest, such participation will result in a second date of competition for the institution.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-94	PLAYING AND PRACTICE SEASONS -- MEN'S SOCCER -- FIRST CONTEST OR DATE OF COMPETITION -- 12-WEEK SEASON	In men's soccer, to specify that an institution shall not play its first contest or engage in its first date of competition (game) with outside competition prior to the Friday prior to the 12th weekend prior to the start of the applicable Division I soccer championship, except that an alumni contest may be played the previous weekend.	No position. • Noted that proposed increases to the length of both the men's and women's soccer playing season have been approved in recent years. • Noted that the proposal does make consistent the length of men's and women's soccer seasons based on the current date for conducting the men's and women's championship. • Received information regarding on-going discussion to conduct the men's and women's championship at the same site on the same weekend, but the Division I Championships/Sports Management Cabinet has not made any final decision on that matter.
Proposal No. 2010-95	PLAYING AND PRACTICE SEASONS -- FIRST CONTEST OR DATE OF COMPETITION -- CROSS COUNTRY AND SOCCER -- 10-WEEK CROSS COUNTRY SEASON AND 11-WEEK SOCCER SEASON	In cross country, to specify that an institution shall not play its first contest or engage in its first date of competition (game or scrimmage) with outside competition prior to the Friday before the 10th weekend before the weekend of the NCAA Division I cross country regional competition; further, in soccer, to specify that an institution shall not play its first contest or engage in its first date of competition (game) with outside competition prior to the Friday before the 11th weekend before the start of the applicable NCAA Division I Soccer Championship.	No position. Noted that the length of the cross country and soccer playing seasons may be voted on separately.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-96	PLAYING AND PRACTICE SEASONS -- WOMEN'S VOLLEYBALL -- PRESEASON PRACTICE -- 21 UNITS	In women's volleyball, to reduce, from 29 to 21, the number of units used to determine the start of preseason practice.	Preliminary support.
Proposal No. 2010-97	PLAYING AND PRACTICE SEASONS AND ELIGIBILITY -- WRESTLING -- FIRST DATE OF PRACTICE AND COMPETITION -- NO OUTSIDE COMPETITION BEFORE NOVEMBER 1	In wrestling, to specify that an institution shall not commence practice sessions prior to October 10 and shall not engage in its first date of competition with outside competition prior to November 1; further, to specify that a student-athlete shall not participate in outside competition (on a team or as an individual) between the beginning of the institution's academic year and November 1.	Preliminary support.
Proposal No. 2010-98	PLAYING AND PRACTICE SEASONS -- WRESTLING -- NUMBER OF DATES OF COMPETITION -- ANNUAL EXEMPTIONS -- NATIONAL WRESTLING COACHES ASSOCIATION NATIONAL DUALS	In wrestling, to specify that the National Wrestling Coaches Association (NWCA) National Duals shall be exempted from the maximum number of dates of competition.	Preliminary support.
Proposal No. 2010-99	PLAYING AND PRACTICE SEASONS -- FOREIGN TOURS AND COMPETITION -- NO INSTITUTIONAL OR CONFERENCE FOREIGN TOURS	To specify that an institution or conference shall not sponsor or participate in a foreign tour; further, to specify that competition in a U.S. territory shall be restricted to once every four years on one trip during the prescribed playing season.	Preliminary opposition.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-100	DIVISION MEMBERSHIP -- ELIMINATION OF PROVISIONAL AND MULTIDIVISIONAL MEMBERSHIP -- RECLASSIFICATION PROCESS AND MULTI-SPORT CONFERENCE REQUIREMENTS	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.	Preliminary support. Received information that language in the Leadership Council's final report that was endorsed by the Board of Directors related to the automatic qualification tie-in for multisport conferences will be included in the proposal that will appear in the Official Notice.
Proposal No. 2010-101	DIVISION MEMBERSHIP -- DEFINITIONS AND APPLICATIONS -- EMERGING SPORTS FOR WOMEN -- REMOVAL OF SQUASH	To remove squash as an emerging sport for women and to eliminate other specified legislation associated with the sport (e.g., playing and practice season regulations, sports-sponsorship minimum contest and participant requirements).	Preliminary support.
Proposal No. 2010-102	DIVISION MEMBERSHIP -- ELIGIBILITY FOR NATIONAL COLLEGIATE CHAMPIONSHIPS -- ELIMINATION OF TWO-THIRDS MAJORITY ELIGIBILITY REQUIREMENT	To eliminate the requirement that, in those sports in which two-thirds or more of the institutions sponsoring the sport are members of the same division, an institution is required to meet that division's and its own division's institutional and individual eligibility requirements (or the more stringent rule if both divisions' rules address the same issue).	Preliminary support.
Proposal No. 2010-103	DIVISION MEMBERSHIP -- DIVISION I MEMBERSHIP REQUIREMENTS -- SPORTS SPONSORSHIP -- MINIMUM CONTESTS FOR SPORTS SPONSORSHIP -- SWIMMING AND DIVING	In swimming and diving, to reduce, from 10 to six, the minimum number of contests required to satisfy sports-sponsorship requirements.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-104	DIVISION MEMBERSHIP -- DIVISION I MEMBERSHIP REQUIREMENTS -- SCHEDULING REQUIREMENTS -- WRESTLING	In wrestling, to specify that an institution shall schedule and play at least 50 percent (as opposed to 100 percent) of its contests against Division I opponents to satisfy the minimum number of contests specified to meet sports sponsorship criteria.	Preliminary support.
Proposal No. 2010-105	DIVISION MEMBERSHIP -- DIVISION I MEMBERSHIP REQUIREMENTS -- BASKETBALL SCHEDULING -- ONE-THIRD OF CONTESTS IN HOME ARENA AND ONE-THIRD OF CONTESTS AWAY FROM HOME -- WOMEN'S BASKETBALL	In women's basketball, to specify that an active or provisional member must play at least one-third of its regular-season basketball contests in the arena regularly used for the institution's home games and that one-third of its regular-season basketball contests must be played away from home or at a neutral site.	Preliminary support.
Proposal No. 2010-107	COMMITTEES -- DIVISION I CABINETS AND COMMITTEES -- MEN'S SOCCER COMMITTEE -- NOT MORE THAN TWO MEMBERS FROM THE SAME REGION	To specify that not more than two members of the men's soccer committee may be appointed from the same region.	Preliminary support.

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments
Proposal No. 2010-108	EXECUTIVE REGULATIONS -- ADMINISTRATION OF NCAA CHAMPIONSHIPS -- SITES AND DATES -- NONREVENUE CHAMPIONSHIPS SITE ASSIGNMENT	To specify that in championships that do not generate revenue and for which only 25 percent of the bracket is seeded, seeded teams shall have the opportunity to host preliminary rounds and that conference opponents shall be avoided in the first two rounds of the championship.	No position. • Noted that the sponsor has modified the proposal to address separately the issues of hosting preliminary rounds and avoiding conference opponents in the first two rounds of the championship. • Noted that it is not realistic in every championship to avoid conference match-ups in the first two rounds.
Proposal No. 2010-109	EXECUTIVE REGULATIONS -- ADMINISTRATION OF NCAA CHAMPIONSHIPS -- RESTRICTED ADVERTISING AND SPONSORSHIP ACTIVITIES -- PROFESSIONAL SPORTS ORGANIZATIONS OR TEAMS	To eliminate the prohibition on sponsorship of NCAA championship activities or promotions by professional sports organizations or teams.	No position. Sponsored an alternative proposal to include conference championships in addition to NCAA championships.

Division I Meetings
2011 Annual Convention Meeting Schedule

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

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

All meetings will be held in the Marriott unless specified differently.

Division I Office -

10/05/10:vlm

MINUTES OF THE
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
EXECUTIVE COMMITTEE

Westin Indianapolis
Indianapolis, Indiana

August 12, 2010

Participants:

Charles Bantz, Indiana Univ.-Purdue Univ. at Indianapolis
Drew Bogner, Molloy College
Kathleen Brasfield, Angelo State University
James Bultman, Hope College
Mark Emmert, NCAA president-elect
James Harris, Widener University
Nathan Hatch, Wake Forest University
Sidney McPhee, Middle Tennessee State University
Ann Millner, Weber State University
Lynn Oberbillig, Smith College
John Peters, Northern Illinois University
Beverley Pitts, University of Indianapolis
Edward Ray, Oregon State University, chair
David Schmidly, University of New Mexico
Lou Anna Simon, Michigan State University
Lee Todd, University of Kentucky
Bernard Franklin, NCAA
Jim Isch, NCAA
Delise O'Meally, NCAA, recording secretary

Judy Genshaft, University of South Florida; William Harvey, Hampton University; and Kevin Mullen, Siena College, 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; 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; Robert Vowels, vice president of educational affairs; Wendy Walters, director of academic and membership affairs; Charlotte Westerhaus, vice president of diversity and inclusion; Bob Williams, managing director of public and media relations; David Berst, Daniel Dutcher and Mike Racy, NCAA governance vice presidents; and 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 2 p.m. by the chair, President Ray. All members were present as noted above.

1. Welcome and announcements. Ray welcomed Sidney McPhee, president of Middle Tennessee State University; Nathan Hatch, president of Wake Forest University; David Schmidly, president of the University of New Mexico; Lou Anna Simon, president of Michigan State University; and Lee Todd, president of the University of Kentucky. He also thanked Beverley Pitts, who was attending her last Executive Committee meeting.

2. Approval of April 29, 2010, meeting minutes.

   It was VOTED

   "To approve the Executive Committee minutes of the April 29, 2010, meeting as distributed."

3. NCAA President-elect report. President Ray convened an executive session during which President-elect Mark Emmert discussed personnel matters, organizational structure and other national office business.

4. NCAA Interim President report. Interim President Jim Isch updated the Committee on a climate survey recently conducted at the NCAA national office by Oliver Wyman, a management consulting firm. The Committee received an overview of various elements and key takeaways of the report. It asked to be kept informed of any actions taken to address areas of concern.

5. NCAA Executive Committee Finance Committee report.

   a. Third quarter FY 2009-10 budget to actual. The Finance Committee reviewed the third quarter budget-to-actual report and noted that the Association is on track to meet its budget projections. The Association has received 100 percent of its rights fees payment from CBS Sports in the third quarter.

(1) Revenue. Revenues received year-to-date represent 99 percent of the budget, and it is expected that revenues will exceed the budget in the fourth quarter.

(2) Expenses. Part of the Division I revenue distribution occurred in the third quarter, and the remaining amounts will be distributed in the fourth quarter. Total Association's expenses are 51 percent of the total budget for the third quarter and are in line with the prior year.

(3) Quasi-endowment. The Finance Committee noted that quasi-endowment policies would be reviewed at its end-of-the-year meeting. It will review the purpose and targeted amounts of the quasi endowment and offer a recommendation at the January 2011 Executive Committee meeting.

6. Report from Executive Committee working group on membership issues.

The Committee received a report from the working group on membership issues. The working group was charged with reviewing membership growth from an Association-wide perspective. It discussed a variety of membership topics including reclassification trends, as well as the overall higher education landscape and trends among two-year colleges and for profit institutions.

The working group also discussed current membership categories and recommends that the NCAA Executive Committee direct the divisional governance structure to consider legislative action to:

a. Eliminate the "corresponding membership" category;

b. Redefine the requirements for the "affiliated membership" category to restrict it to coaches and sports associations for sports sponsored by the NCAA and to associations comprised of college/university administrators;

c. Increase the annual fee (currently $225) for the "affiliated membership" category to an amount that more appropriately reflects the benefits and privileges of membership (e.g., use of the Association's registered marks); and

d. Create a formal approval process, including a tiered-fee structure, based on the use of the Association's registered marks.

The working group noted that affiliated membership is available to duly elected nonprofit groups or associations whose function and purpose are directly related to one or more sports in which the Association conducts championships or identifies as an emerging sport. Affiliated members have several benefits and privileges, including the opportunity to be represented by one nonvoting delegate at the NCAA Convention and use of registered NCAA marks in accordance with specific guidelines. Corresponding membership is available to duly elected institutions, conferences and nonprofit organizations that are not eligible for active, provisional, conference or affiliated membership. Corresponding members receive all publications and mailings available to the general membership of the Association but do not have the opportunity to use the Association's marks.

This recommendation will streamline the membership categories and more clearly outline appropriate parameters for use of the Association's marks. Further, publications and general mailings are publicly available through the NCAA website, so the elimination of the corresponding membership category has no impact on the ability to remain informed of the Association's activities. Current affiliated and corresponding members will be notified of their options prior to the implementation of these changes.

It was VOTED

"To approve the recommendations of the Executive Committee working group on membership with regard to affiliated and corresponding NCAA membership."

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

8. NCAA drug-testing plan. The Committee received a report from the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports (CSMAS) regarding drug-testing protocol. In April 2009, the Committee charged CSMAS with reviewing the NCAA drug-testing program to recommend any changes in the plan that could result in increasing drug-use deterrence without increasing drug-testing costs. CSMAS advanced a recommendation for a drug-testing plan that allows for flexibility in testing both in championships and in year-round testing. That flexibility will involve more weighted/targeted testing both by sports and substances and will include a progression toward no-notice notification.

It was VOTED

"To approve the recommended drug-testing plan with an effective date of September 1, 2010.

9. Report from NCAA Committee on Sportsmanship and Ethical Conduct. The Committee received a report from the NCAA Committee on Sportsmanship and Ethical Conduct (CSEC) regarding issues surrounding the impact of violence on student-athletes. The Committee supported further examination of this issue by CSEC in conjunction with the CSMAS, the Committee on Women's Athletics (CWA) and the three divisional student-athlete advisory committees. This joint task force will be charged with:

   a. Conducting research to determine the extent/scope of violent behavior involving student-athletes;

   b. Determining the NCAA's role in addressing this issue; and

   c. Reviewing best practices in related areas and explore educational opportunities around the issue.

10. 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) Concussion management plan. Adopted emergency legislation that requires Division I institutions to have a concussion management plan on file, as specified in the proposal.

      (2) Football Academic Working Group. Agreed to sponsor legislation to implement a fall term academic requirement for future competition in the sport of football.

      (3) Knight Commission. Received a report from Gerald Turner and Brit Kirwan, cochairs of the Knight Commission. The Board and the cochairs engaged in considerable discussion about the commission's recommendations and the process to continue communication and follow-up within the NCAA governance structure.

      (4) Men's Basketball Academic Enhancement Group. Agreed to sponsor legislation to establish a summer retention-focused program to support academic, athletics and learning skills development for men's basketball student-athletes.

      (5) Division I membership standards. Agreed to sponsor legislation recommended by the Division I Leadership Council that would implement new Division I membership standards.

(6) Chair appointment. Selected Judy Genshaft, president at the University of South Florida, as its new chair.

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

(1) NCAA Constitution 3.2.4 (NCAA membership—active membership—conditions and obligations of membership—concussion management plan). Voted to exercise its presidential authority to enact emergency legislation that will require, as a condition and obligation of NCAA Division II membership, an institution to have a concussion management plan on file, as specified. This legislation is effective August 16, 2010.

(2) Life in the Balance—Phase II. Voted to sponsor three pieces of legislation, which focus on managing time demands of student-athletes, for the 2011 NCAA Convention. These three recommendations include:

(a) Moving the start date for practice and competition in the nonchampionship segment for spring sports to September 7 or the fourth day of classes, whichever is earlier.

(b) Moving the start date for conditioning activities and preseason practice in winter sports to September 7 or the fourth day of classes, whichever is earlier.

(c) Permitting student-athletes in winter and spring sports to participate in a maximum of two hours of full team activities per week from the beginning of the institution's academic year in the fall term through the day before the first permissible practice date. In fall championship sports, it would permit a student-athlete's participation in a maximum of two hours of full-team activities per week from the first day of classes in the winter or spring term through February 15. Finally, in sports other than football, it would specify that outside of the playing season after the Division II championship to one week before the start of the institution's exam period, a student-athlete could participate in no more than two hours per week of skill instruction as part of the permissible eight hours of countable athletically related activities.

(3) Enhancement fund revisions. Endorsed the decision of the Division II Planning and Finance Committee, which voted to approve a change in the enhancement fund allocation, effective May 2012. The new allocation

will provide 75 percent to conference offices based on sports sponsorship and 25 percent via an equal distribution to Division II active member institutions. The new distribution model eliminates the performance in the men's and women's basketball championship as a part of the distribution. The Division II Planning and Finance Committee will implement a transition fund to offset any losses to the conferences in the first year. It agreed that the Division II strategic positioning platform must influence all future program and budget decisions for the division. The committee believed a distribution formula based in part on success in only two national championships (men's and women's basketball) was inconsistent with the division's comprehensive platform.

(4) Division II Chancellors and Presidents Summit. The third Division II Chancellors and Presidents Summit was conducted in Indianapolis June 18-19. The Division II chancellors and presidents in attendance for the business session Saturday discussed various Division II initiatives and topics, which included sessions on Life in the Balance—Phase II; Division II strategic membership growth; academics and life skills; and athletics department enhancement tools. The two-day summit began with a Presidents Council meeting Friday morning, followed by conference meetings and an evening reception. The business session portion of the summit was held during the day Saturday and was followed by a social function in the NCAA Hall of Champions, which had been redesigned to highlight the Division II academics and athletics experience.

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

(1) Identity initiative. Received an update on new resources to be made available to the Division III membership to assist in local activation of the Division III strategic positioning platform. This presidentially led initiative serves to reinforce the values of Division III beyond its position on not awarding athletics aid. The upcoming release of activation tool kits and promotional materials for institutions and conferences, as well as the new website to explain Division III to the general public, marks a significant milestone for the division.

(2) Transgendered student-athletes. Referred to CSMAS and CWA a charge to raise awareness of the issues associated with, and resources available to protect, transgendered student-athlete well-being, and to establish a timeline for the NCAA to develop a formal policy on transgendered student-athlete eligibility. The Council determined that the number of transgender students interested in athletics participation is likely to continue to rise,

and the Association should offer its members more assistance and direction regarding how to best manage any associated eligibility and well-being issues.

(3) Presidential leadership. The Presidential Advisory group discussed and the Presidents Council sponsored a series of proposals designed to further empower Division III presidents at the strategic level, while further empowering the Management Council at the operational level. The Council is sponsoring a proposal to allow the Management Council to serve as a sponsor for operational legislation, subject to ratification by the Presidents Council. This will allow the Presidents Council to focus more on strategic considerations as it shifts away from detailed operational issues.

The Presidents Council also is supporting the addition of vice presidents or other senior administrators to whom athletics reports to the Management Council, thus formally bringing to the table a perspective that manages athletics on 80 percent of Division III campuses.

The Presidents Council will engage immediately in a significant communication effort to clarify expectations of presidential leadership at the conference level and offer best practices for models of such leadership.

(4) Drug education and testing. In response to its 2007-09 pilot study, the advisory group and Presidents Council considered the options available to the division for drug education and testing. Division III currently does not engage in year-round drug testing. The division is considering the most appropriate drug-education and -testing program based on the pilot results and other studies. It noted the issue relates to student-athlete well-being, institutional autonomy, competitive equity and available financial resources. The advisory group and Council considered four options. While the presidential groups favor a model to provide funding for optional, localized drug testing in conjunction with an enhanced educational model, several broader options will be presented at the 2011 Convention for full membership discussion. These options include:

(a) Retention in its current form of championships testing for performance enhancing drugs and illegal street drugs. This option was supported by the presidential bodies.

(b) Enhanced educational programming. This option emerged as the most favored of the four. It should be inclusive of performance-enhancing substances, street drugs and, perhaps most importantly, alcohol. The division should seek to partner with student affairs professionals in the development of educational content and best practices.

(c) Academic year-round drug testing (performance enhancing and/or street). This option was not favored by the Council based on a lack of compelling evidence that there is a student-athlete specific substance problem. The findings related to performance-enhancing substances were not compelling to move beyond the existing championships testing program, and the street drug issues seem to be consistent with patterns found in the general student body. The Council will continue to monitor student-athlete drug use to assess future need for a year round testing program.

(d) Optional funding for campus based education and/or testing. This option was supported as a way to assist institutions in tailoring the deterrence program most appropriate for the institution.

11. NCAA Executive Committee Subcommittee on Gender and Diversity Issues. The Committee received a written report of the work of the Executive Committee Subcommittee on Gender and Diversity Issues.

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

13. Adjournment. Ray adjourned the meeting at 4:30 p.m.

# # # # #

NCAA Government Relations Report
(October 2010)

1. Government Relations Overview.

Upon returning from their annual August recess, members of Congress faced several remaining legislative priorities including the federal appropriations process. It is expected that lawmakers will pass a continuing resolution to fund the government for the next several months before adjourning on October 1 to campaign for mid-term elections. It is likely that work on other issues will be postponed until Congress returns for a lame-duck session in mid-November. Among the issues that could potentially receive consideration in November are the expiring tax cuts, food safety regulations, a further extension of unemployment benefits and energy legislation.

Despite a limited calendar, Congress has continued its examination of several sports related issues. There has been a continued interest in concussions suffered by athletes and a renewed interest in the improper conduct of some athlete agents and their ultimate impact on student-athletes and membership institutions. It is likely that Congress will continue to express an interest in athletics related matters during the final months of the 111th Congress.

2. Federal Issues.

a. Internet Gambling.

Two bills, which seek the removal of the ban on Internet gambling, have remained the central focus of multiple congressional committee hearings. H.R. 4976, the Internet Gambling Regulation and Tax Enforcement Act of 2010, was introduced by Representative Jim McDermott (D-WA) on March 25, 2010. H.R. 4976 would amend the Internal Revenue Code to impose an Internet gambling license fee on authorized and licensed Internet gambling operators and an additional tax on unauthorized bets or wagers. H.R. 2267, the Internet Gambling Regulation, Consumer Protection, and Enforcement Act, was introduced by Representative Barney Frank (D-MA) on May 6, 2009. H.R. 2267 would create a federal regulatory and enforcement framework that would permit Internet gambling operators to obtain licenses, enabling them to accept bets from individuals located in the United States.

On July 28, 2010, the House Financial Services Committee conducted a mark-up of H.R. 2267. During the hours of debate, a key amendment was offered by Representative Peter King (R-NY) and Representative Gregory Meeks (D-NY),

which would explicitly prohibit Internet wagering on sporting events excluding pari-mutuel racing. This amendment was passed by a voice vote and included in a final measure that was approved by the House Financial Services Committee by a margin of 41-22.

The future movement of H.R. 2267 remains fairly uncertain. There have been reports that the authors of H.R. 2267 and H.R. 4976 prefer to move these measures simultaneously. However, with a limited congressional calendar and a lack of companion bills in the Senate, it is not clear if or when these proposals will receive additional consideration.

b. Americans with Disabilities Act.

On September 15, 2010, the Department of Justice released revised rules that regulate Title II of the American with Disabilities Act (ADA) as it pertains to state and local government services and Title III, which covers nondiscrimination on the basis of disability by public accommodations and in commercial facilities. Under the final rules, which will become effective March 15, 2011, significant revisions have been made to ADA standards for accessible design. These rules will be applicable to a wide range of facilities. In addition, the regulations set new standards for service animals, and ticketing rules regarding accessible seating at events.

c. Concussion Management.

Despite its adjournment during the August recess, Congress continued to examine mild-traumatic brain injuries suffered by amateur athletes. On September 8, 2010, the House Energy and Commerce Subcommittee on Health held a field hearing in Newark, NJ, entitled "Protecting School-Age Athletes from Sports-related Concussion Injury." The hearing focused on the need for federal guidelines and funds to protect youth student-athletes from the long-term impact of repeat concussions.

On September 16, 2010, the subcommittee held a mark-up of H.R. 1347, the Concussion Treatment and Care Tools Act of 2009 (ConTACT Act of 2009). The ConTACT Act would establish concussion management guidelines that address the prevention, identification, treatment, and management of concussions in school-aged children, including standards for student athletes to return to play after a concussion.

H.R. 1347 was passed by a voice vote by the subcommittee. H.R. 1347 was then considered and passed by the full House Energy and Commerce committee on September 23, 2010.

Another related field hearing was conducted in Long Island, NY by the House Education and Labor subcommittee on Healthy Families and Communities on September 13, 2010. The hearing, which was chaired by Representative Carolyn McCarthy (D-NY), focused on what schools and communities need to do to raise awareness about the dangers associated with concussions suffered by high school athletes. The House Education and Labor committee held a follow-up hearing on September 23, 2010, where the discussion focused on a new proposal, H.R. 6172, the Protecting Student-Athletes from Concussions Act introduced by Representative Tim Bishop (D-NY). Immediately following the hearing, a congressional briefing was conducted, which focused on the health and safety of youth athletes and the need to identify policies and procedures to prevent and manage concussions. The National Football League, the American College of Sports Medicine, and the Congressional Youth Sports Caucus sponsored this event.

Each of the congressional events discussed above, focused on K-12 student-athletes. To date, no legislation has been introduced which directly addresses how to prevent and manage concussions suffered by collegiate or professional athletes. As an extension of the significant efforts that have been undertaken at the collegiate level to protect the health and safety of our student-athletes, the NCAA government relations staff will continue to serve as an education resource to members and their staff on this issue.

d. Athlete Agents.

The recent press surrounding several possible violations of NCAA rules involving athlete agents and NCAA student-athletes has generated some interest with several members of Congress and their staffs. Many of their questions pertain to the Sports Agent Responsibility and Trust Act (SPARTA) and the Uniform Athlete Agent Act (UAAA), which regulate athlete agent activity at the federal and state levels respectively. Their inquiries focused on whether these laws have been successful in curbing the behavior which has repeatedly had a detrimental impact on student-athletes and membership institutions. NCAA government relations staff and the Agent, Gambling, and Amateurism Activities staff will continue to educate

policymakers on the various NCAA efforts to address ongoing concerns with athlete agent activities.

e. NCAA Champions Day at the White House.

On September 13, 2010, President Barack Obama honored more than 650 NCAA student-athletes, coaches and staff on the south lawn of the White House. The championship teams in attendance heard remarks from President Obama, which focused on the student-athletes' on and off the field accomplishments. NCAA Interim President Jim Isch attended the ceremony along with government relations and new media staff, who provided live updates from this memorable occasion.

3. State Issues.

a. California Disclosure.

With the support of the National College Players Association, the Student-Athlete Right to Know Act was introduced by California Assembly member Tom Torlakson on February 18, 2010. As introduced, the initial measure would have required all schools to provide a disclosure letter outlining the terms and conditions of an athletic scholarship upon initial contact for the purposes of recruiting a prospective student-athlete. In addition, the bill would have required that a written scholarship offer be made within one week of making a verbal offer. However, as the proposal moved through the legislative process it was significantly amended. Under the proposal that was passed by the California legislature on August 26, 2010, California postsecondary institutions would only be required to post information outlining specific terms and conditions of an athletic scholarship on its Internet website. Provisions relating to when a written scholarship offer must be made were removed. AB 2079 was sent to Governor Arnold Schwarzenegger on September 8, 2010, for his consideration. California membership and the NCAA government relations staff will continue to closely monitor developments related to this bill.

b. Uniform Athlete Agents Act.

The Uniform Athlete Agents 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 40 states, Washington D.C. and the U.S. Virgin Islands. Most recently, Governor Pat Quinn signed the measure into law on July 14, 2010. In California, SB 1098 was passed by the California State Senate by a vote of 23-12 and the California Assembly by a vote of 51-23. SB 1098 was sent to Governor Schwarzenegger for his consideration on September 7, 2010.

The NCAA Office of Government Relations will continue to work with the National Conference of Commissioners on Uniform State Laws and 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.

REPORT OF THE OCTOBER 27, 2010, MEETING OF THE DIVISION I PRESIDENTIAL ADVISORY GROUP

INFORMATIONAL ITEMS.

1. **Report of August 10, 2010, Conference Call.** The Presidential Advisory Group (PAG) reviewed and approved the report of its August 9, 2010, teleconference.

2. Report of NCAA President. PAG welcomed new NCAA President Mark Emmert. President Emmert reviewed with the group his focus for the future of the Association:

   a. Enhance the student-athlete experience.

   b. Demonstrate leadership with members to keep strengthening the platform that governs national intercollegiate athletics.

   c. Engage the world beyond higher education to further support and sustain the collegiate model.

3. Representation on Division I Board of Directors. The group engaged in a lengthy discussion regarding full representation of Football Championship Subdivision (FCS) and Division I conferences on the Division I Board of Directors. The group received historical information regarding representation on the Board and preservation of subdivisional voting ratios through the various phases of restructuring of the Association and the division. The group supported continued discussion of the matter to assess possible consideration and support by non-PAG conferences.

4. Report from Division I Committee on Academic Performance. Walter Harrison, chair of the Committee on Academic Performance reported the following:

   a. That the release of Graduation Success Rate (GSR) and Federal Graduation Rate data for the 2000-03 cohort for all NCAA Division I institutions took place earlier in the day. This year's results indicate Division I student-athletes continue to perform well in the classroom.

   b. That the committee continued its comprehensive review of the Academic Performance Program (APP), including a review of the Academic Performance Rate (APR) metric, benchmarks and penalty structure. PAG noted its support for the committee setting a penalty benchmark that equates to a 50 percent GSR.

   c. That the committee is evaluating the addition of a graduation component to the current APR formula that relies upon eligibility and retention ratios. PAG cautioned

the committee to consider possible confusion that may be caused by adding a graduation component and that while the group supports graduation as a goal, the component should be clear and add value to the real and perceived level of academic success.

d. That the committee supports Proposal No. 2010-58 as written and encourages the Board not to modify the proposal, which would establish a summer academic preparation and acclimatization model in men's basketball.

e. That the committee supports Proposal No. 2010-59-C, which is an alternative to the proposal sponsored by the Board on the recommendation of the Football Academic Working Group (FAWG). The alternative proposal would provide a one-time exception to the four-game penalty specified in Proposal No. 2010-59-A.

5. **Report from Division I Academic Cabinet.** The group received a report of the Academic Cabinet's discussions of possible changes to the initial-eligibility and two-four transfer requirements.

a. Initial Eligibility Requirements. The cabinet considered several potential modifications to the current initial-eligibility requirements and agreed not to recommend changes at this time. The cabinet noted that additional time will allow for full consideration of data not yet available.

b. Two-Four Transfer Requirements. The cabinet reviewed extensive data and developed an initial package of concepts that strive to balance principles of increased academic success, simplicity of administration, access to higher education and opportunity for prospective student-athletes who are academically underprepared. The package of draft concepts includes an increased transferable grade-point average for qualifiers and nonqualifiers, expanding the current men's basketball limitation of two physical education activity credits to all sports for qualifiers and nonqualifiers, expanding the current required core transferrable courses to include three science credits, eliminating the requirement of three semesters or four quarters of attendance for nonqualifiers, and the consideration of a year of academic readiness at the two-year college. PAG expressed its support for the cabinet's continued work on the package of changes to the two-four college transfer requirements.

6. **Proposal For Division I Faculty Athletics Representative Institute.** The group reviewed a proposal from the Faculty Athletics Representatives Association (FARA) to establish a Division I FAR Institute that would be conducted on an annual basis and would be directed at the needs of Division I FARs, especially those early in their FAR careers. The group

supported the concept of the institute and recommended that the NCAA consider funding the institute as a pilot program and evaluate it for its effectiveness after two-three years of operation.

7. **Representation in Division I governance structure.** The group reviewed information regarding diversity by subdivision in the Division I governance structure. The group was informed that during the next two years, the terms of the FCS and Division I representatives on the cabinets and councils will expire and the subdivisions will be required to replace the representatives and meet the enhanced diversity requirements approved by the Board in January. The group noted the concerns expressed by the commissioners regarding the subdivisions' ability to meet the enhanced diversity requirements. PAG agreed to monitor the upcoming appointments and revisit the issue if the inability to meet the requirements becomes a reality.

8. **Men's Basketball Recruiting.** The group discussed a recommendation from the Collegiate Commissioner's Association (CCA) to eliminate the summer evaluation period in men's basketball beginning in the summer of 2011. The group did not support the immediate elimination of summer recruiting, rather it indicated its support for the Board delaying sponsorship of such legislation until the 2011-12 legislative cycle and in the meantime, assigning the Leadership Council the responsibility to evaluate and create a new recruiting model for men's basketball.

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

   a. January 10, 2011, 3 p.m. (Eastern time), conference call.

   b. April 27, 2011, Indianapolis, Indiana.

   c. August 8, 2011, 3 p.m. (Eastern time), conference call.

   d. October 26, 2011, Indianapolis, Indiana.

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

The National Collegiate Athletic Association
October 28, 2010 SDB/JGC:vlm

NCAA DIVISION I PRESIDENTIAL ADVISORY GROUP
OCTOBER 27, 2010, MEETING

Participants:
William Beauchamp, University of Portland
Robert Caret, Towson University
Greg Dell'Omo, Robert Morris University
Philip Dubois, University of North Carolina, Charlotte
Robert Fisher, Belmont University
Bobby Fong, Butler University
Milton Gordon, California State University, Fullerton
Walter Harrison, University of Hartford
Penelope Kyle, Radford University
William Meehan, Jacksonville State University
Ann Millner, Weber State University, chair
Kenneth Peacock, Appalachian State University
Randall Webb, Northwestern State University
George C. Wright, Prairie View A&M University

Presidents unable to participate:
James Ammons, Florida A&M University
Charles Bantz, Indiana University-Purdue University of Indianapolis
John Bravman, Bucknell University, Patriot League
Joanne Glasser, Bradley University
Kevin Mullen, Siena College
David Skorton, Cornell University

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

Other NCAA staff members in attendance: Scott Bearby, Diane Dickman, Mark Emmert, Michelle Hosick, LuAnn Humphrey, Kevin Lennon, Steve Mallonee, Tom Paskus, Todd Petr, Wallace Renfro, Greg Shaheen, Jennifer Strawley and Brandon Wright.

Executive Summary of the NCAA Division I Committee on Academic Performance
October 2010, Meeting
Prepared for the NCAA Division I Board of Directors and the Presidential Advisory Group

1. Review of Federal Graduation Rate and Graduation Success Rate (GSR) Data.

Release of the GSR and Federal Graduation Rate data for the 2000-03 cohort for all NCAA Division I institutions took place Wednesday, October 27, 2010. Consistent with the last two years' findings, this year's results indicate Division I student-athletes continue to perform well in the classroom. The four-year Division I GSR for student-athletes is 79 percent; 72 percent for male student-athletes and 87 percent for female student-athletes. The largest gains seen this year were specific to African Americans in the sports of football and men's basketball. African American men's basketball student-athletes' GSR increased 3 percent while African American football student-athletes' GSR increased 5 percent (Attachment A).

2. Review of the NCAA Division I Academic Progress Rate (APR) Calculation, Benchmarks and NCAA Division I Academic Performance Program (APP) Penalty Structure.

The NCAA Division I Committee on Academic Performance continued its comprehensive review of the APP including review of the APR metric, benchmarks and penalty structure. The committee seeks presidential input on the issues prior to formalizing its recommendations (Attachment B).

Revised Metric: The committee is considering an enhancement to the current APR metric that includes the addition of a graduation component. Adjustments to the current metric (e.g., professional departure and transfer adjustments) have significantly altered the retention component which now functions more like an eligibility component as opposed to the originally intended graduation component. A refinement to the APR calculation to include graduation, would provide a more accurate graduation correlation.

Revised Penalty Benchmark: With an enhanced calculation of the APR metric, the penalty benchmark will likely need to be altered. The committee affirmed its commitment to setting a penalty benchmark that equates to a 50 percent GSR.

New Penalty Structure: The committee is considering a single-penalty structure that includes the addition of a fifth level of penalties and the expansion of possible penalties to be included within the new penalty structure.

3. NCAA Division I Board of Directors Academic Performance Program Historical Penalties Appeals Subcommittee.

With the transition of members serving on the NCAA Division I Board of Directors, the APP Historical Appeals Board Subcommittee has currently only two remaining members, Ann Millner, Weber State University and Reverend Beauchamp, Portland State University. Three members of the Board are needed to fill the roster of the APP Historical Appeals Board Subcommittee. In addition, a chair must be identified for the subcommittee. Further, the subcommittee currently has no NCAA Football Bowl Championship Subdivision representation.

This subcommittee has legislative authority to consider appeals of committee decisions involving Occasion-Three and Occasion-Four Historical Penalties. The threshold for appeal of a committee decision is high and requires the institution to demonstrate that the committee abused its discretion in applying the legislation and/or policy and procedures of the APP. Given the high threshold for appealing a decision rendered by the committee, few appeals have been considered by the APP Historical Appeals Board Subcommittee (i.e., two appeals in 2009 and zero appeals in 2010). The subcommittee is an important appellate opportunity in the penalty structure, but the amount of work required for subcommittee members is not significant. The work is conducted generally during May and June.

Members of the Board who have interest in serving on this subcommittee or chairing it should let President Genshaft, David Berst or Jackie Campbell know.

4. NCAA Proposal No. 2010-58: Summer Academic Preparation and Acclimatization – Men's Basketball.

The committee supports Proposal No. 2010-58 as written and encourages the Board not to amend Proposal No. 2010-58. The committee does not support the NCAA Division I Academic Cabinet's recommendation to modify the proposal and require passing of six hours. The committee believes that the NCAA Division I Basketball Academic Enhancement Group spent considerable time reviewing this issue and determined that enrolling in six hours and passing three hours was the most appropriate option at this time.

5. Proposal No. 2010-59: Eligibility – Progress-Toward-Degree Requirements – Eligibility for Competition – Fulfillment of Credit Hour Requirements – Fall Term Academic Requirement for Future Competition – Football.

The committee supports Proposal No. 2010-59-C as written. Data indicates that NCAA APR issues in football tend to be due to eligibility and football student-athletes lose a significant number of eligibility points during the fall term. Proposal No. 2010-59-C continues to support the importance of helping to ensure that football student-athletes are progressing toward a degree, while also recognizing that any student-athlete can have a term of academic difficulty during his/her period of enrollment. Giving the student-athlete the ability to regain full eligibility on one occasion, allows student-athletes to academically recover one time during his academic career, while still supporting the overall premise of the original proposal.

6. Academic Cabinet Consideration of Initial-Eligibility and Two-Four Transfer Regulations.

a. Initial-Eligibility Standards. The committee encourages the cabinet and Board to examine the possibility of implementing a tiered eligibility model that establishes a core grade-point average floor (e.g., 2.5). Such a model could provide access to athletics aid and practice based on the current initial-eligibility standards while requiring an increased core grade-point average to be eligible for competition. The committee noted the length of time needed to implement changes to initial-eligibility regulations and noted that it would take several years to understand the impact of the increase to 16 core courses as well as core-course taking patterns. Data supports establishing a floor on core-course grade-point average in conjunction with an established tiered eligibility structure. The committee requests the Board refer this matter to the Academic Cabinet to study the issue and make possible recommendations to the Board in April.

b. Two-Year Transfer Regulations. The committee was supportive of the two-year college transfer concepts put forward by the Academic Cabinet and encourages Board support of the concepts.

DRAFT – Not For Circulation

Trends in Graduation Success Rates and Federal Graduation Rates at NCAA Division I Institutions

NCAA Research Staff

October 2010

Comparison of GSR and Federal Graduation Rate Cohorts

(2000-2003 Entering Classes)

	Federal Rate	GSR
Enrolled (Under Federal Definition)	76,881	76,881
Enrolled as Frosh in January	0	2,150
Two-Year College Transfers	0	9,285
Four-Year College Transfers	0	7,783
Non-Scholarship Athletes (Only at Schools not Offering Aid)	0	8,739
Total Enrolled	76,881	**104,838 (+36.4%)**
Allowable Exclusions (Death, Military, Church Mission, etc.)	269	353
Left Eligible	0	19,460
Total Denominator	**76,621**	**85,025 (+11.0%)**

Four-Cohort Graduation Success Rates (GSR)

NCAA Research

Average GSRs for Division I Student-Athletes in 1999-02 Cohorts Vs. 2000-2003 Cohorts

	1999-02 Cohorts	2000-03 Cohorts
Division I Overall	79%	79%
Division I Men	72%	72%
Division I Women	88%	87%
Division I Football Bowl Subdivision	79%	80%
Division I Football Championship Subdivision	76%	76%
Division I (No Football)	81%	81%

Graduation Success Rates for Division I Men's Sports

Four-Class Averages for 1999-02 Cohorts vs. 2000-03 Cohorts

SPORT	Four-Class Average 1999-02 Cohorts	Four-Class Average 2000-03 Cohorts
Baseball	69%	70%
Basketball	64%	66%
Cross Country/Track	75%	74%
Fencing	84%	85%
Football (FBS)	67%	67%
Football (FCS)	64%	65%
Golf	80%	81%
Gymnastics	85%	87%
Ice Hockey	82%	80%
Lacrosse	88%	88%
Rifle	82%	81%
Skiing	87%	82%
Soccer	78%	77%
Swimming	83%	84%
Tennis	84%	83%
Volleyball	79%	74%
Water Polo	87%	85%
Wrestling	72%	72%

Graduation Success Rates for Division I Women's Sports

Four-Class Averages for 1999-02 Cohorts vs. 2000-03 Cohorts

SPORT	Four-Class Average 1999-02 Cohorts	Four-Class Average 2000-03 Cohorts
Basketball	83%	83%
Bowling	76%	70%
Crew	91%	92%
Cross Country/Track	85%	85%
Fencing	91%	91%
Field Hockey	93%	93%
Golf	88%	88%
Gymnastics	94%	93%
Ice Hockey	91%	88%
Lacrosse	94%	94%
Rifle	82%	78%
Skiing	98%	95%
Soccer	89%	89%
Softball	86%	86%
Swimming	91%	91%
Tennis	89%	89%
Volleyball	88%	88%
Water Polo	88%	88%

Trends in Single-Year Graduation Success Rates (GSR)

Summary of GSR Trends Between 1995 and 2003 Cohorts

- Differences in GSR between the 1995 and 2003 cohorts are notable due to the fact that initial-eligibility rules changed in 1996 and again in 2003. There are some notable differences in GSRs between these cohorts:
  - The overall rate is five percentage points higher for the 2003 cohort than for the 1995 cohort.
  - The major changes were seen in the African-American groups. African-American males saw their graduation rates increase by eight percentage points while females increased by five percentage points.
  - The rate for men's basketball increased by ten percentage points over that timeframe, with a 14 percentage point increase for African-Americans in men's basketball.
  - For FBS football, there has been an overall increase of six percentage points. African-Americans have seen their graduation rates jump eight percentage points in that timeframe, while white FBS football student-athletes saw a jump of six percentage points.

Summary of GSR Trends Between 2002 and 2003 Cohorts

- Overall, the GSR for the 2003 cohort was at 79 percent – the same rate as had been reported for the 2001 and 2002 cohorts. There were some specific sub-group differences worth noting:
  - The GSR for men's basketball stayed constant at 66 percent, the highest rate recorded in that sport. There was a three percentage point increase, though, for African-Americans in the sport who hit the 60 percent mark for the first time. That was offset by a two percentage point drop among whites in the sport.
  - In the sport of football in the Football Bowl Subdivision (FBS) the overall rate increased by three percentage points to 69 percent. The rate for African-Americans in the sport increased by five percentage points to 61 percent. The rate for whites increased by two percentage points. In the FCS, the overall rate decreased by a point to 65 percent.

Comparison of Graduation Success Rates from Entering Classes of 1995* and 2003

Nine-Year Trends For Select Groups of Student-Athletes

Student-Athlete Group	1995 GSR	2003 GSR
Overall	74%	79%
White	81%	84%
African-American	56%	64%
White Males	76%	78%
African-American Males	51%	59%
White Females	89%	90%
African-American Females	71%	76%

*1995 was the last year of the former initial-eligibility rules (known as Prop. 48). It was also the first year in which GSR data were collected.

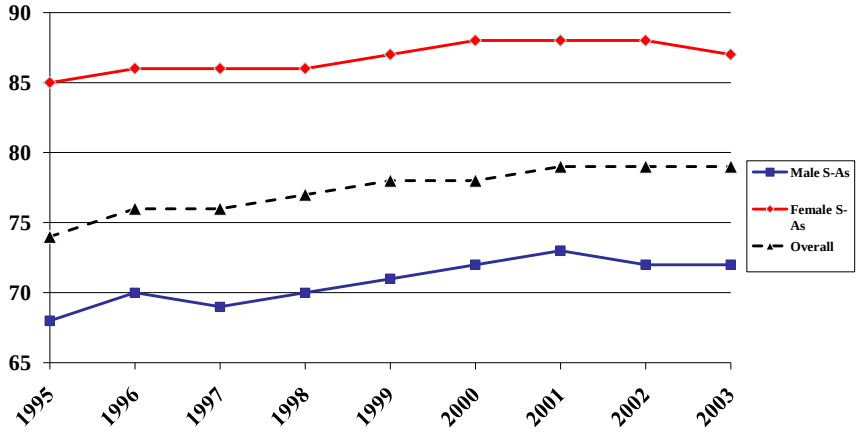
Comparison of Graduation Success Rates from Entering Classes of 1995* and 2003

Nine-Year Trends For Select Sport Groups

Student-Athlete Group	1995 GSR	2003 GSR
Men's Basketball	56%	66%
White Men's Basketball	76%	82%
African-American Men's Basketball	46%	60%
Football (FBS)	63%	69%
White Football (FBS)	76%	82%
African-American Football (FBS)	53%	61%
Women's Basketball	80%	85%
White Women's Basketball	87%	90%
African-American Women's Basketball	70%	79%

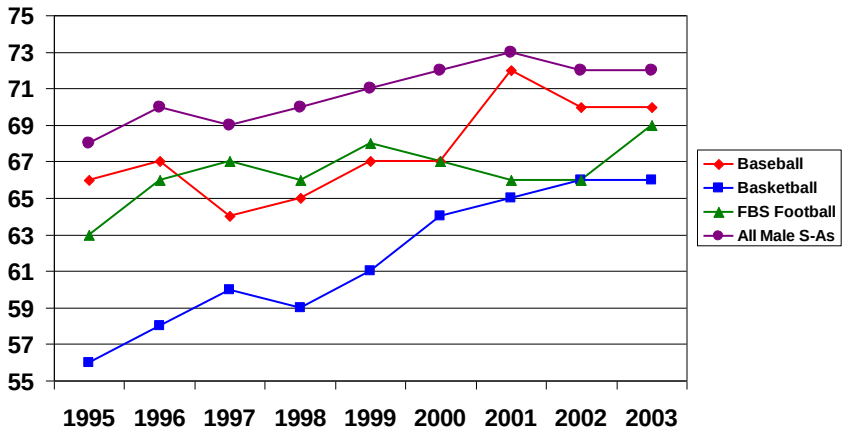
*1995 was the last year of the former initial-eligibility rules (known as Prop. 48). It was also the first year in which GSR data were collected.

Annual Graduation Success Rates of All Student-Athletes at Division I Institutions Overall and by Gender



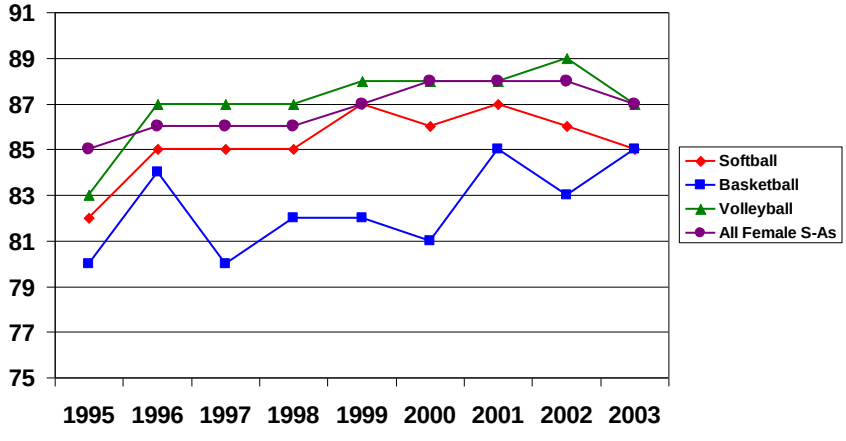
Nine-Year Trends in GSR for Division I Men's Basketball and Baseball, and FBS Football

1995-2003



Nine-Year Trends in GSR for Division I Women's Basketball, Softball and Volleyball

1995-2003



Graduation Success Rate Trends for Division I Men's Sports

1995 to 2003 Entering Cohorts

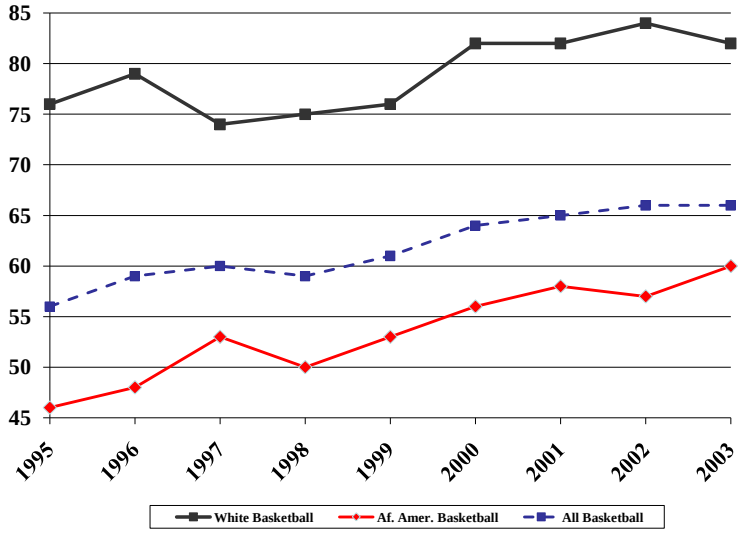
SPORT	1995	1996	1997	1998	1999	2000	2001	2002	2003
Baseball	65.3%	66.7%	63.9%	64.7%	66.7%	67.3%	71.7%	69.9%	69.6%
Basketball	55.8%	58.7%	59.5%	59.0%	60.7%	63.6%	65.0%	65.5%	66.4%
X-Country/Track	72.1%	74.0%	72.6%	73.6%	75.9%	73.5%	75.4%	74.6%	72.8%
Fencing	100%	82.4%	86.7%	90.0%	88.9%	84.6%	81.0%	81.0%	100%
Football (FBS)	63.1%	65.6%	66.7%	65.5%	67.6%	66.7%	66.4%	65.9%	69.2%
Football (FCS)	62.0%	63.4%	64.6%	65.7%	64.2%	65.1%	62.7%	65.7%	64.7%
Golf	77.0%	77.0%	76.4%	77.6%	79.0%	80.6%	79.6%	80.6%	83.5%
Gymnastics	76.4%	80.4%	92.7%	91.8%	81.4%	84.8%	86.7%	85.7%	89.5%
Ice Hockey	78.0%	81.5%	83.0%	82.3%	89.3%	79.1%	80.1%	79.2%	81.0%
Lacrosse	91.2%	92.0%	89.3%	85.0%	87.4%	90.2%	90.9%	83.0%	88.0%
Rifle	84.2%	67.9%	70.8%	73.1%	84.0%	82.8%	77.8%	80.0%	82.6%
Skiing	84.2%	100%	100%	68.4%	94.7%	76.9%	88.2%	85.0%	77.8%
Soccer	74.3%	77.5%	74.9%	80.4%	78.4%	75.4%	80.1%	77.7%	77.9%
Swimming	81.0%	81.7%	81.8%	81.1%	82.3%	84.3%	86.0%	81.3%	84.6%
Tennis	84.7%	82.1%	82.9%	83.3%	81.9%	81.9%	84.5%	86.5%	80.1%
Volleyball	72.9%	74.0%	63.0%	84.1%	84.0%	84.5%	80.9%	67.3%	72.9%
Water Polo	94.6%	86.0%	85.4%	86.7%	80.0%	87.1%	91.7%	85.7%	80.3%
Wrestling	61.5%	71.6%	63.3%	70.4%	70.7%	73.8%	70.2%	71.8%	73.4%
Overall	**67.6%**	**69.6%**	**69.1%**	**69.8%**	**70.9%**	**71.6%**	**72.7%**	**72.1%**	**72.0%**

Graduation Success Rate Trends for Division I Women's Sports

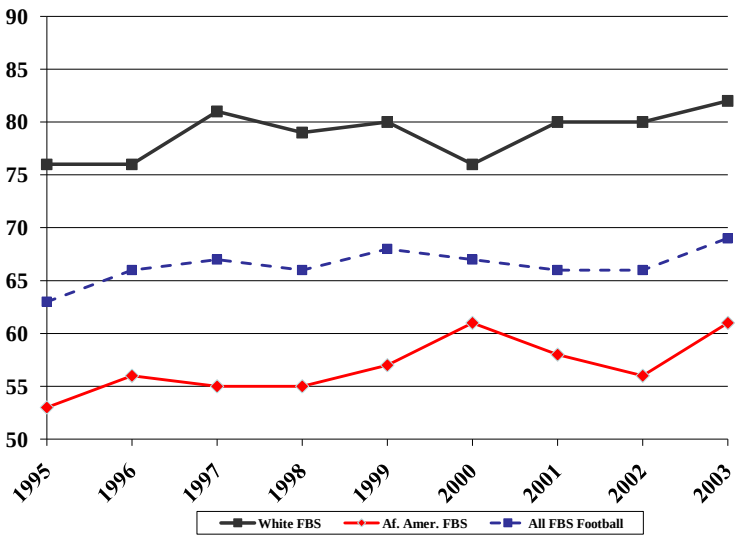
1995 to 2003 Entering Cohorts

SPORT	1995	1996	1997	1998	1999	2000	2001	2002	2003
Basketball	79.8%	83.7%	79.9%	81.5%	81.9%	81.0%	85.3%	82.8%	84.8%
Bowling	100%	100%	90.9%	50.0%	69.2%	68.2%	78.6%	86.4%	63.3%
Crew	89.6%	89.7%	88.9%	89.2%	88.5%	91.8%	91.9%	92.0%	92.0%
X-Country/Track	82.4%	82.8%	82.1%	83.1%	83.3%	84.6%	85.6%	85.3%	82.9%
Fencing	86.7%	92.9%	100%	94.7%	88.9%	89.3%	87.0%	100%	88.5%
Field Hockey	92.9%	93.7%	91.7%	95.5%	93.3%	93.1%	93.0%	94.1%	92.4%
Golf	88.3%	90.6%	84.2%	86.5%	89.3%	88.2%	86.4%	89.4%	87.7%
Gymnastics	93.1%	92.4%	89.0%	97.1%	96.1%	94.6%	92.5%	92.8%	91.4%
Ice Hockey	85.7%	100%	85.0%	83.3%	89.3%	96.8%	87.1%	89.8%	89.7%
Lacrosse	93.9%	93.0%	95.1%	92.9%	92.7%	94.9%	95.7%	92.9%	93.9%
Rifle	66.7%	90.0%	78.6%	62.5%	83.3%	80.0%	80.0%	82.1%	73.1%
Skiing	100%	93.8%	86.4%	95.8%	100%	100%	96.0%	95.0%	90.9%
Soccer	86.1%	86.7%	88.3%	86.6%	89.4%	89.9%	89.3%	88.6%	87.7%
Softball	82.3%	84.5%	84.6%	84.8%	86.5%	86.0%	87.3%	85.7%	85.4%
Swimming	90.8%	91.1%	90.8%	90.6%	90.3%	91.1%	90.2%	91.7%	90.7%
Tennis	85.7%	88.4%	87.6%	88.8%	88.5%	89.4%	90.3%	88.5%	89.9%
Volleyball	83.2%	86.6%	87.0%	87.4%	87.8%	88.0%	88.1%	89.2%	86.7%
Water Polo	100%	80.8%	88.7%	81.7%	89.6%	81.0%	91.0%	91.0%	91.4%
Overall	**84.9%**	**86.3%**	**85.6%**	**86.1%**	**87.2%**	**87.5%**	**88.2%**	**87.9%**	**87.1%**

Graduation Success Rates of Division I Men's Basketball Players by Ethnicity



Graduation Success Rates of FBS Football Players by Ethnicity



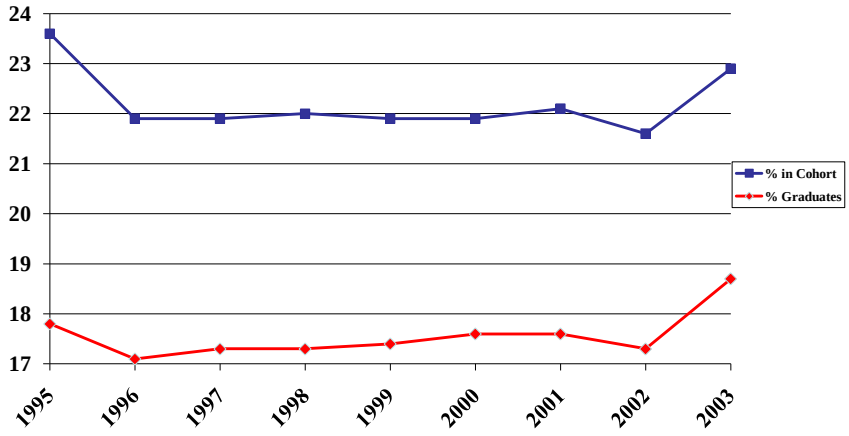
Academic Access and Success of African-American Student-Athletes 1995-2003

Access and Success of African-American Student-Athletes - Background

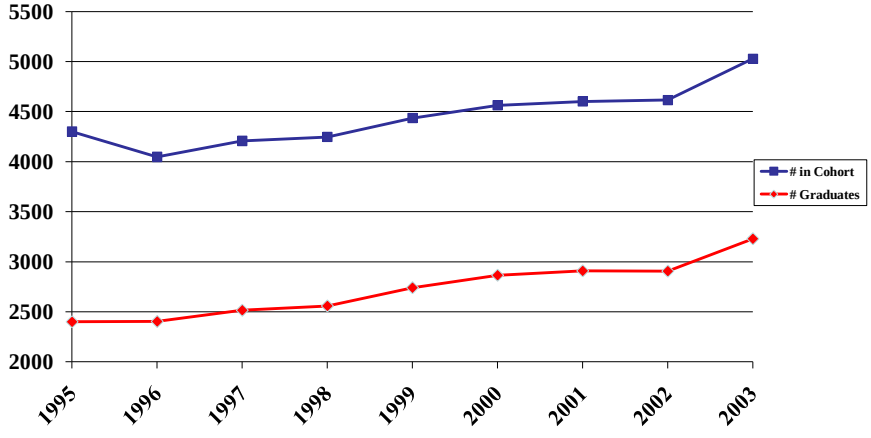
- There was a noticeable drop in the number and proportion of African-American student-athletes in the GSR cohort when Proposition 16 was fully implemented in 1996. The proportion of African-American students in the GSR cohort stayed fairly constant between 1996 and 2002.

- The goals of the academic reforms that were initially implemented in 2003 were to "maximize graduation rates while minimizing adverse impact on low-income and minority student-athletes." The current data do not allow for us to understand impacts on low-income students, but we can track the effects on African-American student-athletes.

Proportion of African-American Student-Athletes Among GSR Cohort and GSR Graduates 1995-2003



Number of African-American Student-Athletes Among GSR Cohort and GSR Graduates 1995-2003



Access and Success of African-American Student-Athletes - Outcomes

- Changes in initial eligibility standards that were implemented in 2003 were designed to be more inclusive of minority and low-income student-athletes, while maximizing the graduation rates of all student-athletes. In other words, the initial eligibility rules were tweaked to shift emphasis to a student's grades in 16 core academic courses and provide a more efficient evaluation of a student-athlete's likely success in college and there is evidence that this is exactly what is occurring. Specifically, we see approximately 400 more African-American student-athletes in the cohort, and approximately 300 more African-American graduates when compared to the previous year.

- There were significant gains in the graduation rates of African-American student-athletes in the high profile sports of FBS football (five percentage point increase) and men's basketball (three percentage point increase).

- Beginning in 2003, the initial-eligibility standards were re-balanced to more appropriately weight high school grades in core academic classes and standardized test scores. The initial results appear clear: we see high school students who are better prepared to succeed in the college classroom as well as increases in the number of African-American student-athletes participating and graduating.

Trends in Federal Graduation Rates

NCAA Research

Federal Graduation Rates for Division I Men's Sports

Four-Class Averages for 1999-02 Cohorts vs. 2000-03 Cohorts

SPORT	Four-Class Average 1999-02 Cohorts	Four-Class Average 2000-03 Cohorts
Baseball	47%	47%
Basketball	48%	48%
Cross Country/Track	60%	60%
Fencing	73%	79%
Football (FBS)	55%	56%
Football (FCS)	54%	54%
Golf	62%	63%
Gymnastics	70%	75%
Ice Hockey	63%	61%
Lacrosse	72%	73%
Rifle	58%	55%
Skiing	78%	74%
Soccer	58%	58%
Swimming	70%	70%
Tennis	65%	64%
Volleyball	67%	64%
Water Polo	72%	72%
Wrestling	54%	56%

Federal Graduation Rates for Division I Women's Sports

Four-Class Averages for 1999-02 Cohorts vs. 2000-03 Cohorts

SPORT	Four-Class Average 1999-02 Cohorts	Four-Class Average 2000-03 Cohorts
Basketball	64%	64%
Bowling	58%	53%
Crew	77%	79%
Cross Country/Track	70%	70%
Fencing	84%	85%
Field Hockey	82%	81%
Golf	72%	72%
Gymnastics	83%	82%
Ice Hockey	74%	78%
Lacrosse	84%	83%
Rifle	70%	65%
Skiing	75%	67%
Soccer	72%	71%
Softball	70%	70%
Swimming	75%	76%
Tennis	70%	70%
Volleyball	70%	70%
Water Polo	76%	76%

Summary of Federal Graduation Rate Differences Between Student-Athletes and Student Body

2003 Cohort

- Overall, student-athletes in the entering class of 2003 at Division I institutions equaled their highest rate in history – 64 percent. That is one percentage point higher than the general student body at Division I institutions.

- When looked at by subgroups based on gender and ethnicity, only white males trail the corresponding rates among the student population (by one point). Of note:
  - African-American male student-athletes graduate at a ten percentage point higher rate than African-American males in the student body (48 percent to 38 percent).
  - African-American female student-athletes outpace their student body counterparts by 16 percentage points (64 percent to 48 percent).

- In the sports of men's basketball and FBS football, the overall rates lag behind the rates of males in the student body. However, the rates for the African-Americans in those sports are higher than African-American males in the student body (by five points in basketball and four points in FBS football).

Summary of Federal Graduation Rate Trends 1984 to 2003

- Graduation rates data were first collected using the federal methodology for the entering class of 1984. Between 1984 and 2003, there were significant changes in the graduation rates of many student-athlete groups:
  - The overall graduation rate has increased from 52 percent to 64 percent.
  - The rate for African-American student-athletes increased by 18 percentage points over that time period (35 percent to 53 percent). The African-American males increased by 15 percentage points (33 percent to 48 percent), and the African-American females increased by 19 percentage points (45 percent to 64 percent).
  - In men's basketball, the overall rate increased by 11 percentage points. The federal rate for white men's basketball student-athletes is the same as it was in 1984, while the rate for African-Americans has increased by 14 percentage points.
  - The overall rate for football at the FBS level increased by nine percentage points. The rate for white student-athletes has increased by nine points, and the rate for African-Americans in that sport has increased by 14 percentage points.

Comparison of Federal Graduation Rates Between Student-Athletes and Student Body For Select Groups in 2003 Entering Class

Student-Athlete Group	Student-Athlete Graduation Rate	Student Body Graduation Rate
Overall	64%	63%
White	68%	66%
African-American	53%	44%
White Males	62%	63%
African-American Males	48%	38%
White Females	74%	68%
African-American Females	64%	48%

Comparison of Federal Graduation Rates from Entering Classes of 1984* and 2003

Twenty-Year Trends For Select Groups of Student-Athletes

Student-Athlete Group	1984 Graduation Rate	2003 Graduation Rate
Overall	52%	64%
White	59%	68%
African-American	35%	53%
White Males	55%	62%
African-American Males	33%	48%
White Females	66%	74%
African-American Females	45%	64%

*1984 was the first cohort for which federal graduation rate data were collected.

Comparison of Federal Graduation Rates from Entering Classes of 1984* and 2003

Twenty-Year Trends For Select Sport Groups

Student-Athlete Group	1984 Graduation Rate	2003 Graduation Rate
Men's Basketball	38%	47%
White Men's Basketball	53%	53%
African-American Men's Basketball	29%	43%
Football (FBS)	47%	56%
White Football (FBS)	56%	67%
African-American Football (FBS)	35%	49%
Women's Basketball	57%	64%
White Women's Basketball	66%	64%
African-American Women's Basketball	42%	62%

*1984 was the first cohort for which federal graduation rate data were collected.

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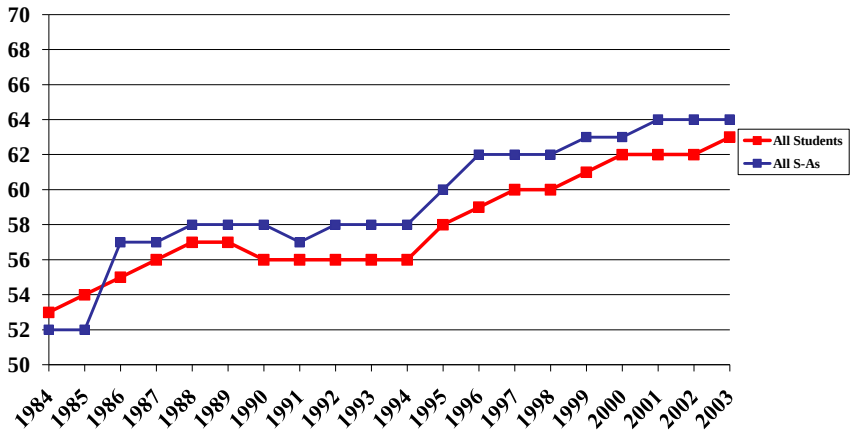
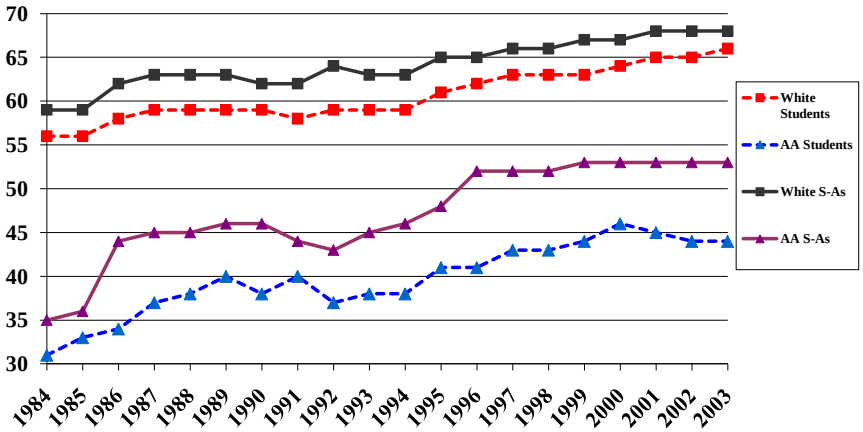
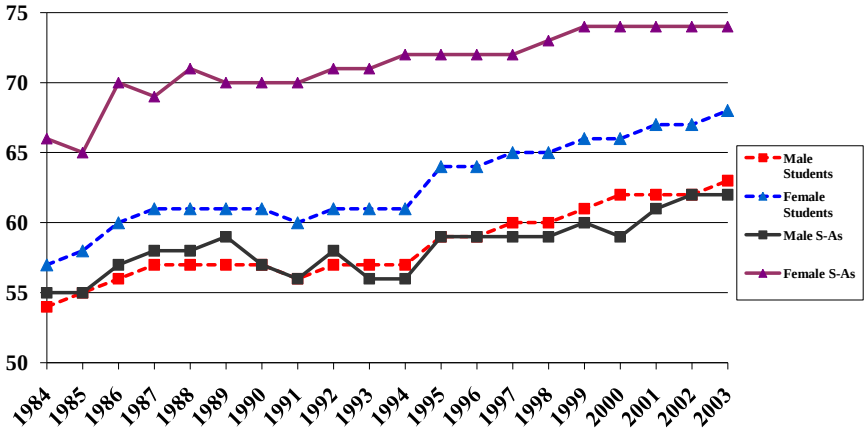
Federal Graduation Rates of All Student-Athletes versus All Students at Division I Institutions



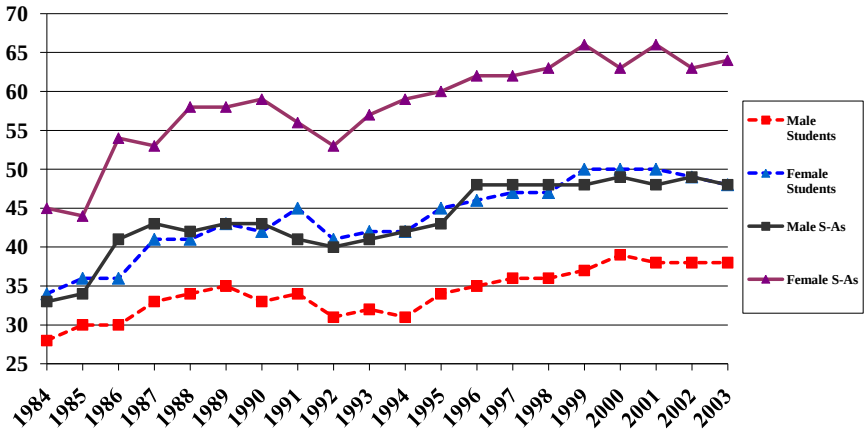
Federal Graduation Rates of All Student-Athletes versus All Students at Division I Institutions by Race/Ethnicity



Federal Graduation Rates of **White Student-Athletes** versus **White Students** at Division I Institutions by Gender



Federal Graduation Rates of **African-American Student-Athletes** versus **African-American Students** at Division I Institutions by Gender



ATTACHMENT B

Summary of NCAA Division I Committee on Academic Performance Discussions, NCAA Division I Academic Progress Rate Calculation, Benchmarks and Penalty Structure

NCAA Division I Academic Performance Program (APP) Goals and Principles.

The NCAA Division I Committee on Academic Performance has adopted the following revised goals and principles, which have served as a guide in its review of the APP.

The goals of the APP are twofold and are intended to outline the overall purpose of the APP.

1. To ensure that the Division I membership is dedicated to providing student-athletes with exemplary educational and intercollegiate-athletics experiences in environments that recognize and support the primacy of the academic mission of member institutions, while enhancing the ability of male and female student-athletes to earn four-year degrees. (NCAA Bylaw 23.01.1)

2. To encourage graduation of all student-athletes.

The principles of the APP are provided below. These principles are intended to provide a framework for how the goals of the APP will be met.

1. All NCAA Division I athletics programs and sports teams should be subject to the penalty and rewards structure.

2. The APP should encourage continuous and meaningful improvement for academically underperforming teams.

3. The APP must appropriately penalize those programs that have demonstrated a history of academic underachievement.

4. The implementation of the APP should recognize the diversity of institutional missions and characteristics among NCAA member institutions.

5. The integrity of the rates of measure within the APP must be maintained.

6. The APP must be fair and equitable.

7. The APP should be as straightforward and understandable as possible.

NCAA Division I Academic Progress Rate (APR) Metric - Adding a Graduation Component.

As part of the APP, APR provides a real-time assessment of academic factors (academic eligibility and retention) shown to be predictive of eventual graduation.

Since the implementation of the APR in 2003-04, there have been several important changes that have altered the APR formula, its distribution of scores and the meaning of specific APR values. The long-term cumulative results of these changes have been to change the meaning and impact of penalty benchmarks and to severely compact the distribution of APRs.

At the start of the APR, it was determined that a graduation component was not needed in the APR formula because the retention component effectively performed that role. However, after allowing for the professional departure and transfer adjustments, the retention component now functions more like a second eligibility component than a retention/graduation component.

These adjustments have made it possible for teams to have high retention elements within APR, but not graduate many student-athletes. Although generally teams with high APRs also produce high numbers of graduates, there are examples of teams with a high APR but a low number of graduates, as well as teams with a low APR and a high number of graduates. These anomalies are largely due to various APR adjustments.

The committee is considering refining the APR calculation to include a graduation component. The enhanced metric will more accurately predict graduation and more fairly assess academic performance, while still maintaining the "real-time" nature of the calculation. Specifically, this metric would add the number of graduates over the most recent four-year period to the numerator of the APR equation, while adding the number of possible graduates in that sport over the same period. The metric would still include the eligibility and retention point calculations, and would remain on a 1,000 point scale. The new metric is represented in the following equation:

$$APR = \frac{(E_E + R_E + G_E)}{(E_P + R_P + G_P)} * 1{,}000$$

E_E = Eligibility points earned; E_P = Eligibility points possible.
R_E = Retention points earned; R_P = Retention points possible.
G_E = Graduation points earned; G_P = Graduation points possible

The committee has additional work to do in finalizing specifics of the denominator element, possible graduates.

APR Penalty Benchmarks.

The NCAA Division I Board of Directors selected the contemporaneous penalty APR benchmark of 925 because it projected to an expected Federal Graduation Rate of about 50 percent and it was projected that seven percent of the teams would have an APR below 925. Currently, 925 projects to a Federal Graduation Rate of 36 percent and only 1.6 percent of teams are subject to contemporaneous penalties; 925 approximates to a 50 percent Graduation Success Rate (GSR).

The 900 APR benchmark was selected as the historical penalty cut-score and it projected to approximately a 37 percent Federal Graduation Rate and a 50 percent GSR. At that time, data indicated that three to six percent of teams across all sports had an APR below 900. Currently 900 roughly corresponds to a Federal Graduation Rate of 25 percent and a GSR of 42 percent and 3.4 percent of teams have a APR below 900.

Based on the proposed revision to the APR metric to include a graduation component, the committee is considering a single-penalty benchmark set at a multiyear rate that approximately corresponds to a 50 percent GSR. Further review of the new APR metric will be necessary to determine the exact benchmark rate.

APP Penalty Structure.

The current APP penalty structure includes two types of penalties known as contemporaneous and historical penalties each with their own penalty benchmark. The committee is considering amending the penalty structure to create a single structure with a single-penalty benchmark. A single-penalty structure would be a simpler and more efficient system for administering the APP and associated penalties. This single structure would remove the need for multiple cut-scores, and replace the current dual contemporaneous/historical framework.

In addition to the merger of the penalty structures, the committee requests feedback on a number of other changes to the APP penalty structure, including:

1. The addition of a fifth level of penalties, which would include a menu of options available to the committee to tailor unique penalties to that particular team/institution.

2. Imposition of a regular-season contest reduction penalty at the fourth level of penalties.

3. Increased financial aid penalties at all levels of the penalty structure.

4. If, at any level, an institution self imposes alternative penalties, the committee can choose to accept such penalties in lieu of, or in addition to, the stated penalties for that level.

Below is a draft penalty structure based on the committee's discussions to date. Additionally, if at any level, the institution self imposes penalties, the committee can choose to impose such penalties in lieu of, or in addition to, the stated penalties for that level.

Single-Penalty Structure (cumulative and progressive)

Level One:

Public notice

Playing and practice seasons (2 hours/week)

Financial Aid Penalty (10% of average aid awarded or 5% if improvement)

Level Two:

Level One penalties plus:

Increased Financial Aid Penalties (10% of average aid awarded)

Playing and Practice Seasons (4 hours per week plus one day or 4 hours per week if improvement)

Level Three:

Level Two Penalties plus:

Postseason Restriction

Increased Financial Aid Penalties (15% of average aid awarded -- may base on initial counters in football)

Level Four:

Level Three Penalties plus:

Reduced # of contests for team (specifics to be determined)

Increased Financial Aid Penalties

(20% of average aid awarded)

Level Five:

Level Four Penalties plus:

Menu of Penalties Approach (further discussion of specific penalties to be undertaken)

Includes restricted membership option.

Draft Model for Incorporating a Graduation Component into APR

Division I Presidential Advisory Group /
Division I Board of Directors

October 2010

NCAA Research

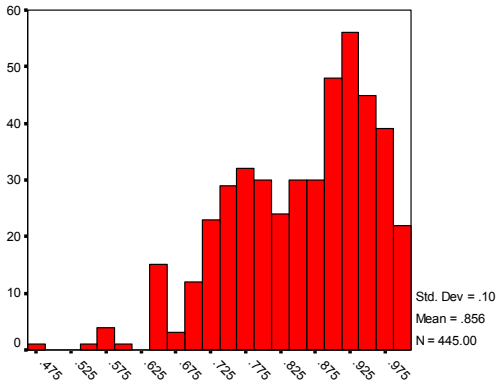
Evaluation of the Academic Performance Program

- APR is still a valid real-time measure of a squad's academic success and eventual graduation rate.
- Numerous changes to the APR calculation have occurred over the past seven years:
  - Eligibility and retention assessed each term rather than at year's end;
  - Delayed graduation points to SAs returning to earn degree;
  - Excusing retention point losses due to pro athletics departure;
  - Excusing retention point losses if SA transfers with ≥ 2.6 GPA;
  - Other APR adjustments based on mitigating circumstances.
- At the Board's request, CAP has undertaken a thorough evaluation of the Academic Performance Program (APR formula, penalty structure, etc.).

Ramifications of APR Changes

- The circumstances under which a retention point can be lost are reduced. In some ways, the retention point functions more like a second eligibility point than a retention/graduation point.
- The APR distribution has become compacted.
- As scores have been adjusted higher, the meaning of penalty benchmarks has changed (e.g., in terms of predicted graduation rates) and many fewer teams are subject to penalties.
- Some teams may be unfairly harmed by or benefit from the current formula. There are outliers that score low on APR but graduate many student-athletes and vice versa.

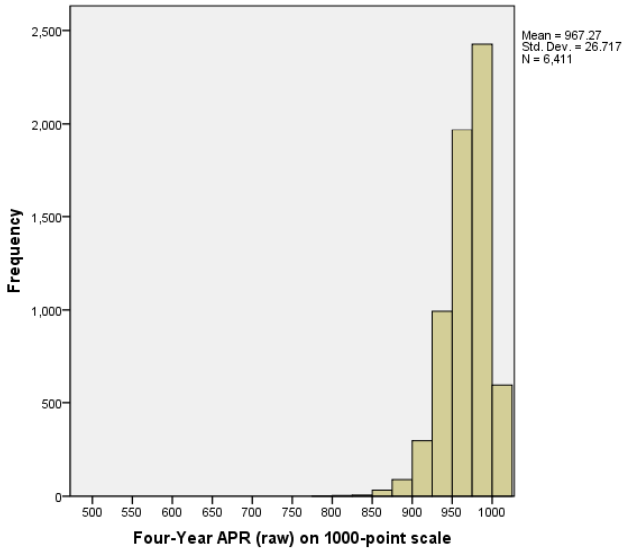
Distribution of the APR Formula Discussed in 2002



Four Year Average of Eligibility, Retention and Graduation Rates

Percentile Breaks						
5th	10th	25th	50th	75th	90th	95th
.663	.726	.781	.872	.935	.970	.988

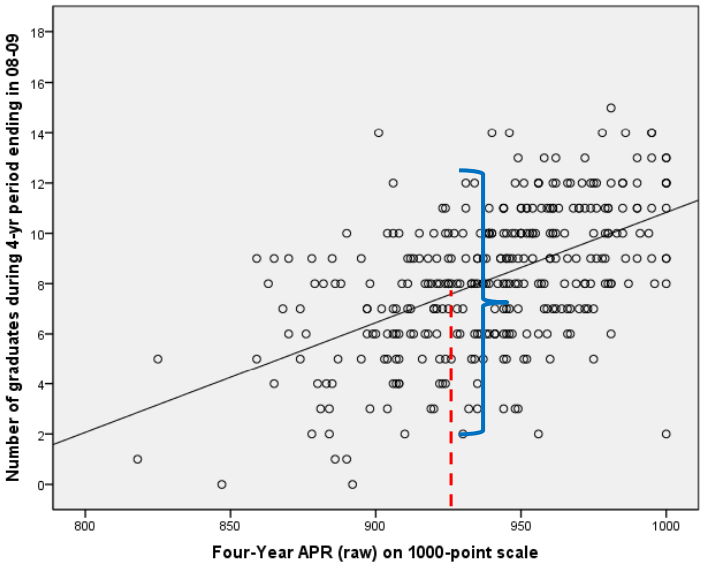
Current Four-Year APR Distribution (2008-09)



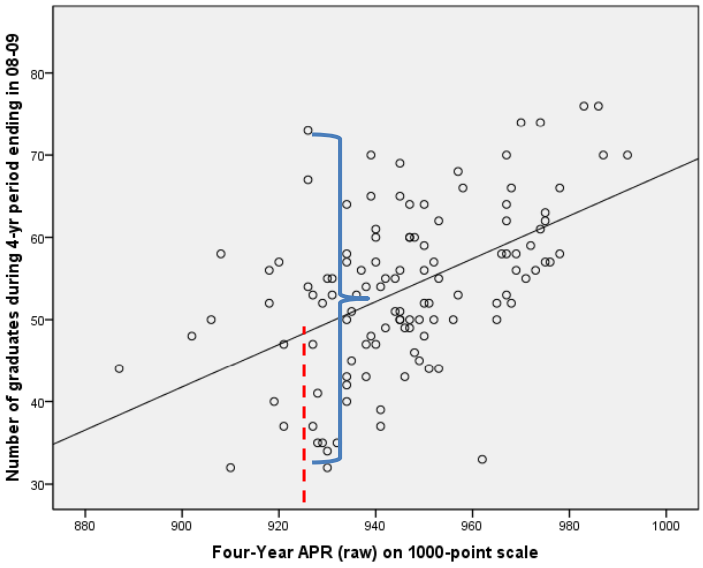
Ramifications of APR Changes on Penalties

- Five years ago, approximately 16% of teams had multi-year APRs below 925 and 7% were below 900. This year, roughly 4% project to be below 925 and just over 1% to be below 900. This is due partly to enhanced academic performance, but also to adjustments made in the APR calculation over time.
- When the first penalties were administered, a 925 APR projected to a 60% GSR and a 900 projected to about a 50% GSR. Today, the 925 penalty benchmark predicts a 50% GSR and the 900 predicts a 40% GSR.

Relationship between APR and Number of Graduates
(Men's Basketball from 2005-06 to 2008-09 -- r = .52)



Relationship between APR and Number of Graduates
(FBS Football from 2005-06 to 2008-09 -- r = .50)



Division I FBS Football Squads with Most Graduates 2005-06 to 2008-09

Multi-year APR	# Grads
983	76
986	76
970	74
974	74
926	73
939	70
967	70
987	70
992	70
945	69
957	68
926	67

Division I Men's Basketball Squads with Most Graduates 2005-06 to 2008-09

Multi-year APR	# Grads (06-09)
981	15
901	14
940	14
946	14
978	14
986	14
995	14
995	14
949	13
958	13
962	13
972	13
990	13
995	13
1000	13
1000	13

Division I Men's Basketball Teams with Fewest Graduates 2005-06 to 2008-09

Multi-year APR	# Grads (06-09)
892	0
847	0
890	1
886	1
818	1
910	2
930	2
1000	2
878	2
884	2
956	2

Current APR Formula

$$APR = \frac{(E_E + R_E)}{(E_P + R_P)} * 1000$$

E_E = eligibility points earned, E_P = eligibility points possible,
R_E = retention points earned, R_P = retention points possible.

APR value is capped at 1000 points.

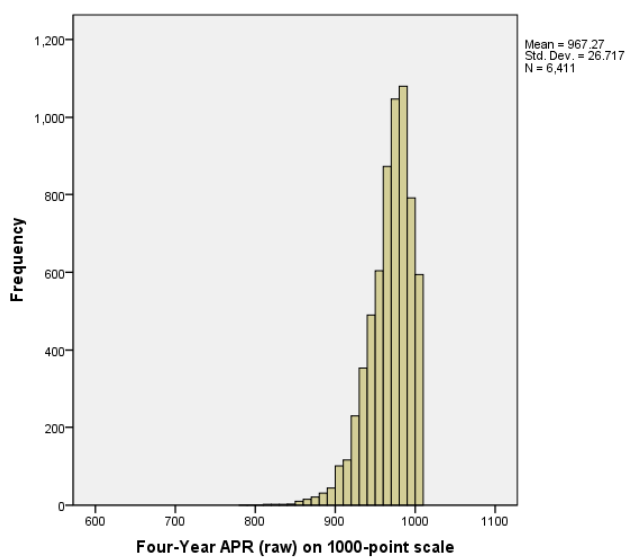
Proposed APR Formula

$$APR = \frac{(E_E + R_E + G_E)}{(E_P + R_P + G_P)} * 1000$$

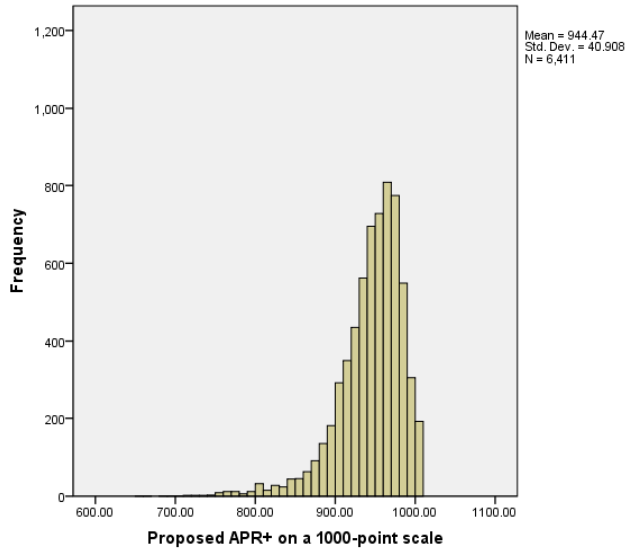
E_E = eligibility points earned, E_P = eligibility points possible,
R_E = retention points earned, R_P = retention points possible,
G_E = graduation points earned, G_P = graduation points possible.

APR value is capped at 1000 points.

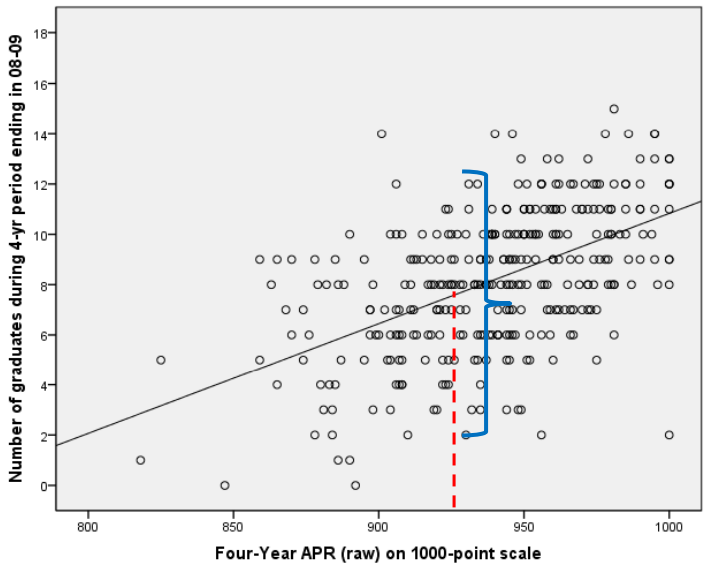
Current Four-Year APR Distribution (2008-09)



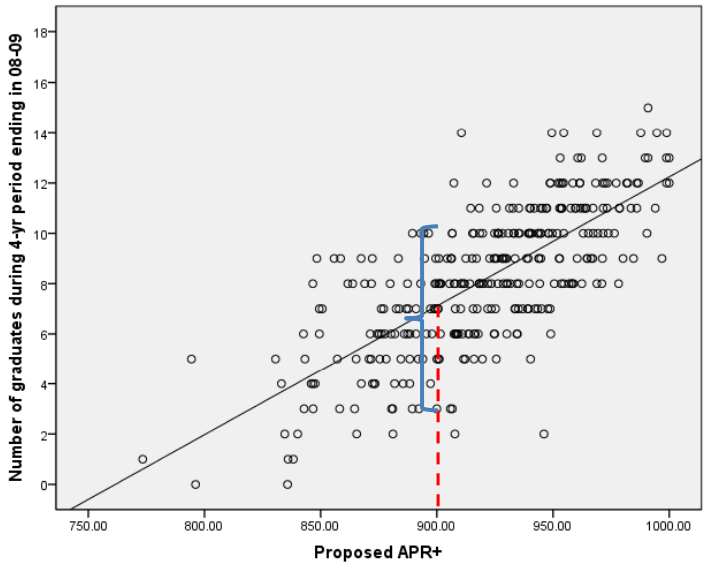
Distribution of Proposed APR



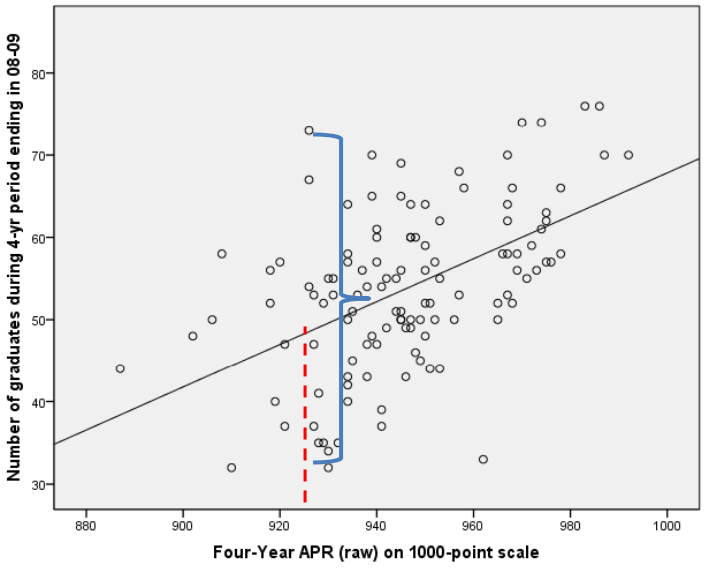
Relationship between APR and Number of Graduates (Men's Basketball from 2005-06 to 2008-09 -- r = .52)



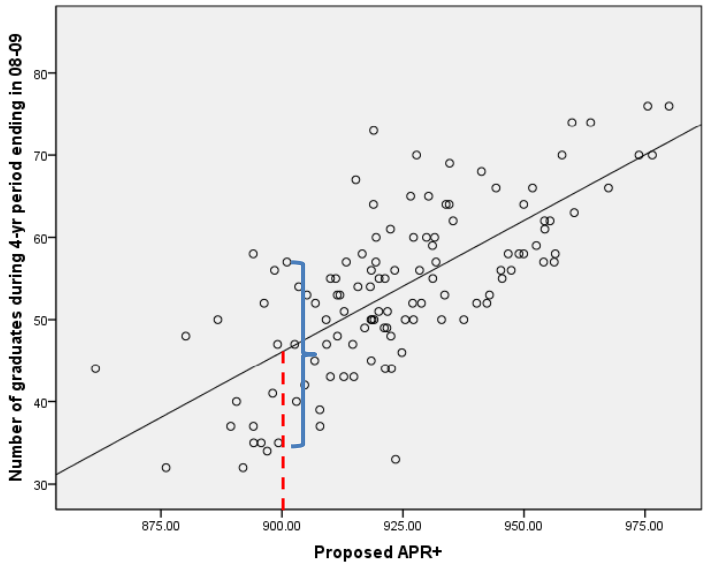
Relationship between Proposed APR and Number of Graduates
(Men's Basketball from 2005-06 to 2008-09 -- r = .73)



Relationship between APR and Number of Graduates
(FBS Football from 2005-06 to 2008-09 -- r = .50)



Relationship between Proposed APR and Number of Graduates
(FBS Football from 2005-06 to 2008-09 -- r = .72)



Benefits of Revised APR Calculation

- Is a more efficient method for identifying teams that are assisting student-athletes toward graduation.
- Provides a more direct link to our most visible academic achievement measure, student-athlete graduation.
- Achieves this through a simple change in the APR calculation.
- Increases the correspondence between a penalty benchmark and a particular graduation rate expectation.

REPORT OF THE OCTOBER 28, 2010, MEETING OF THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I BOARD OF DIRECTORS.

1. **Report of the August 12, 2010, Board of Directors meeting.** The Board approved the report of its August 12, 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 October 27 meeting. The Board was informed of a PAG discussion regarding possible full representation of Football Championship Subdivision (FCS) and Division I conferences on the Division I Board of Directors (including weighted voting) and that PAG supported continued discussion of the matter to assess possible consideration and support by non-PAG conferences. [Reference Supplement No. 2.]

3. **Report from NCAA President.**

   a. NCAA President Emmert reviewed with the group his focus for the future of the Association:

      (1) Enhance the student-athlete experience.

      (2) Demonstrate leadership with members to keep strengthening the platform that governs national intercollegiate athletics.

      (3) Engage the world beyond higher education to further support and sustain the collegiate model.

   b. In addition, Julie Roe Lach, the newly appointed vice president for enforcement services was introduced to the Board. She advised the group of her plans to meet with membership representatives during her first 60-90 days in an effort to gather information and impressions of the enforcement program from the membership, which will assist her in conducting a full review of the current practices and policies.

   c. The national office organizational structural changes were reviewed, including the reasoning for establishing a more vertical reporting structure and reorganizing various departments within the office that resulted in an approximate six percent decrease in staff.

4. Division I Committee on Academic Performance Report. Walter Harrison, chair of the Committee on Academic Performance (CAP), reported: [Reference Supplement No. 3 and Addendum.]

a. That the release of Graduation Success Rate (GSR) and Federal Graduation Rate data for the 2000-03 cohort for all NCAA Division I institutions took place the previous day. This year's results indicate Division I student-athletes continue an upward trend in classroom performance.

b. That the committee continued its comprehensive review of the Academic Performance Program (APP), including a review of the Academic Performance Rate (APR) metric, benchmarks and penalty structure. The Board noted its support for the committee's continued discussion regarding the components of the APR metric and setting a penalty benchmark that equates to a 50 percent GSR.

c. That the committee supports Proposal No. 2010-58, as written, and encourages the Board not to modify the proposal, which would establish a summer academic preparation and acclimatization model in men's basketball.

d. That the committee supports Proposal No. 2010-59-C, which is an alternative to the proposal sponsored by the Board on the recommendation of the Football Academic Working Group (FAWG). The alternative proposal would provide a one-time exception to the four-game penalty specified in Proposal No. 2010-59-A.

BOARD ACTION: The Board encouraged CAP to continue its work, but expressed some concern about the potential confusion of considering changes to the APR formula at this time. (Unanimous voice vote.)

5. Division I Academic Cabinet Report. Carolyn Callahan, chair of the Academic Cabinet, informed the Board of the cabinet's discussions of initial-eligibility and two-four transfer requirements. [Reference Supplement Nos. 4A, 4B and 4C.]

a. Initial Eligibility Requirements. The cabinet considered several potential modifications to the current initial-eligibility requirements and agreed not to recommend changes at this time. The cabinet noted that additional time will allow for full consideration of data not yet available. The Board supported the cabinet's continued review of initial-eligibility requirements and its consideration of potential changes to those standards.

b. Two-Four Transfer Requirements. The cabinet reviewed extensive data and developed an initial package of concepts that strive to balance principles of increased

academic success, simplicity of administration, access to higher education and opportunity for prospective student-athletes who are academically underprepared. The package of draft concepts includes an increased transferable grade-point average for qualifiers and nonqualifiers, expanding the current men's basketball limitation of two physical education activity credits to all sports for qualifiers and nonqualifiers, expanding the current required core transferrable courses to include three science credits, eliminating the requirement of three semesters or four quarters of attendance for nonqualifiers, and the consideration of a year of academic readiness at the two-year college. The Board expressed its support for the cabinet's continued work on the package of recommended changes to the two-four college transfer requirements.

The Board expressed support to continue to develop these concepts, but took no formal action.

6. **Men's Basketball Summer Recruiting**. The Board reviewed a request from the Collegiate Commissioner's Association (CCA) to eliminate the summer evaluation period in men's basketball beginning in the summer of 2011. The Board did not support the immediate elimination of summer recruiting, rather it noted its intent to sponsor such legislation in the 2011-12 legislative cycle and, in the meantime, assigned the Leadership Council, along with appropriate stakeholders, the responsibility to evaluate and create a new comprehensive recruiting model for men's basketball. The Board also suggested that the Legislative Council not take action on proposals in the 2010-11 legislative cycle that impact the recruiting calendar in men's basketball. [Reference Supplement No. 5.]

7. **Membership Categories – Affiliated/Corresponding Membership.** The Board reviewed a recommendation that the Board sponsor legislation in the 2010-11 legislative cycle that would eliminate the "corresponding membership" category and that membership in the "affiliated" category be limited to:

   a. Coaches and sport associations for sports sponsored by the NCAA (or that are on the NCAA emerging sport list), and

   b. College/university administrator associations that have a direct connection to either the NCAA or its member institutions (e.g., NACDA, FARA).

   BOARD ACTION: The Board agreed to sponsor legislation in the 2010-11 legislative cycle as recommended above. In addition, the Board supported the recommendation to increase the annual affiliated membership fee from $225 to an amount that is more appropriate based on the benefits gained by being allowed to use the Association's registered marks. (Unanimous voice vote.) [Reference Proposal No. 2010-117.]

8. **Task Force to Clarify Roles of the Committees on Infractions and Infractions Appeals Committees Update.** Ed Stoner, consultant, reported to the Board that the Task Force identified 19 areas and issues for review, paying particular attention to the procedures for conducting hearings of both committees, as well as reviewing and clarifying the relationship between the Committees on Infractions and the Infractions Appeals Committees. Various preliminary recommendations were highlighted, noting that the Board would receive a final report in January 2011. [Reference Supplement No. 6.]

9. **Division I Leadership Council report.** Michael Alden, director of athletics at the University of Missouri, Columbia, and chair of the Division I Leadership Council, reported on the October 5, 2010, meeting. [Reference Supplement No. 9.]

   a. Agents. The Council engaged in discussion regarding the manner by which agents enter the lives of prospective and enrolled student-athletes, and how they influence the decisions student-athletes ultimately make regarding professional career opportunities. The Council noted that this is a complex issue related to education, regulation and enforcement, and that it will continue to work toward recommendations that will lead to a better process to ensure individuals make an informed decision when considering a career in professional athletics.

   b. Major League Baseball discussions. The Council was updated on preliminary discussions that have taken place between several representatives of the NCAA and Major League Baseball (MLB) and the Major League Baseball Players Association (MLBPA). The Council reviewed discussions related to a College Baseball Initiative that would utilize funds provided by MLB and the MLBPA to enhance the game of baseball at both the collegiate and professional level.

   c. Proposal No. 2010-100. The Council reviewed Proposal No. 2010-100 and recommended that the Board modify the proposal to clarify that before a Football Championship (FCS) institution may be reclassified to the Football Bowl Subdivision (FBS), the institution must receive a bona fide invitation for membership in a FBS conference or a conference that previously has been an FBS conference and invites the institution to continue classification as FBS.

      BOARD ACTION: The Board agreed to modify Proposal No. 2010-100 as recommended. (Unanimous voice vote.)

10. **Division I Legislative Council report.** Shane Lyons, associate commissioner at the Atlantic Coast Conference and chair of the Division I Legislative Council, updated the

Board regarding the Council's October 18-19, 2010, meeting. [Reference Supplement No. 10.]

a. The Council recommended that the Board sponsor Proposal No. 2010-110 in the 2010-11 legislative cycle. This proposal would eliminate the opportunity for an individual to decline and sign a written release for the sickle cell solubility test as part of the required medical examination or evaluation for 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.

   BOARD ACTION: The Board agreed to sponsor Proposal No. 2010-110 in the 2010-11 legislative cycle. (Unanimous voice vote.)

b. The Council recommended that the Board sponsor a modified version of Proposal No. 2009-100, which would specify that in the sport of men's basketball, 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. The modifications to Proposal No. 2009-100 would:

   (1) Continue to permit institutions to host noninstitutional, instructional camps, subject to current NCAA rules.

   (2) Specify that the use of institutional facilities for noninstitutional camps that include prospect-age participants shall be limited to the summer (June through August).

   (3) Provide an exception to permit institutions to continue to host basketball-related events that are part of state-sponsored multisport events.

   (4) Clarify that the legislation shall apply to basketball events conducted on campus and by any institutional department (e.g., athletics, recreational/intramural).

   BOARD ACTION: The Board agreed to sponsor a modified version of Proposal No. 2009-100 in the 2010-11 legislative cycle. (Unanimous voice vote.)

c. The Board's was informed of legislative proposals in several topical areas that may be of potential interest to the group: Governance Process (2010-12); Noncoaching staff member limitations (2010-16-A, B, and C, 2010-17, 2010-18-A, B and C, 2010-

19, 2010-20-A, B and C); Amateurism (2010-24, 2010-26); Recruiting (2010-34, 2010-42), Eligibility-Nontraditional Courses (2010-51, 2010-60); Men's Basketball Summer Academic Preparation (2010-58); Football Fall Academic Term Competition Requirement (2010-59-A, B and C), and Division I Membership Standards (2010-100).

d. In response the Board's April Resolution related to the legislative process, the Council reviewed and discussed a number of concepts related to the legislative process. The Council members agreed to seek additional feedback from their conferences with the view toward further discussion and development of a policy statement and/or legislative proposals to effectuate the desired results. The Council will continue discussions related to this topic during its January and/or April 2011 meetings.

11. Litigation Update. Scott Bearby, interim NCAA General Counsel, provided this report to the Board.

12. Division I Committee on Infractions. The Board reviewed a recommendation from the Committee on Infractions to revise NCAA Bylaw 19.02.2.1 to clarify and specify what constitutes a secondary violation.

BOARD ACTION: The Board approved the recommended revision to Bylaw 19.02.2.1. (Unanimous voice vote.) [Reference Proposal No. 2010-118.]

13. Future meeting Dates.

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

b. April 28, 2011, The Westin Indianapolis, Indianapolis, Indiana

c. August 11, 2011, The Westin Indianapolis, Indianapolis, Indiana

d. October 27, 2011, The Westin Indianapolis, Indianapolis, Indiana

Board of Directors chair: Judy Genshaft, University of South Florida, chair
Staff Liaisons: S. David Berst, Division I governance
Jacqueline Campbell, Division I governance

The National collegiate Athletic Association
October 29, 2010 SDB/JCG:vlm

NCAA DIVISION I BOARD OF DIRECTORS
OCTOBER 28, 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
Judy Genshaft, University of South Florida, Big East Conference, chair
William R. Harvey, Hampton University, Mid-Eastern Athletic 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
Kevin Mullen, Siena College, Metro Atlantic Athletic Conference
Edward Ray, Oregon State University, Pacific-10 Conference, acting chair
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:
John Peters, Northern Illinois University, Mid-American Conference
David Schmidly, University of New Mexico, Mountain West Conference

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

Guests from other Division I governance bodies:
Michael Alden, University of Missouri, Big 12 Conference, Leadership Council chair
Carolyn Callahan, University of Virginia, Atlantic Coast Conference, Division I Academic Cabinet chair
Walter Harrison, University of Hartford, Division I Committee on Academic Performance chair
Shane Lyons, Atlantic Coast Conference, Division I Legislative Council chair

Other visitors:
Edward N. Stoner II, consultant

Other NCAA staff members in attendance: Scott Bearby, Erik Christianson, Joni Comstock, Mark Emmert, Bernard Franklin, Lynn Holzman, Michelle Hosick, LuAnn Humphrey, Jim Isch, Kevin Lennon, Steve Mallonee, Keith Martin, Karen Morrison, Delise O'Meally, Tom Paskus, Todd Petr, David Price, Bill Regan, Wallace Renfro, Julie Roe Lach, Greg Shaheen, Robert Vowels, Wendy Walters, Bob Williams and Brandon Wright.

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