A G E N D A

National Collegiate Athletic Association
Division I Leadership Council

NCAA Headquarters
Indianapolis, Indiana

November 6, 2008
8 a.m. to 2 p.m.

1. Welcome and introductions.

2. Discussion with NCAA President Myles Brand.

3. Status report and examination of items identified by the Division I governance structure and Board of Directors for Leadership Council review.

   a. Status report on the work of the Task Force on Commercial Activity in Intercollegiate Athletics.

   b. Update regarding the Amateurism Cabinet's discussion of assigned amateurism issues. [See Supplement No. 4a(4)(c)]

   c. Examination and preliminary discussion regarding Division I membership standards. [Supplement No. 1]

   d. Discussion regarding ways to enhance the level of diversity in the Division I governance structure. [Supplement No. 2A, 2B]

4. Governance Update.

   a. Division I matters.

      (1) Report from the August 6 Leadership Council. [Supplement No. 3]

      (2) Minutes of the August 7 and October 29 - 30, 2008, Board of Directors meetings. [Supplement No. 4A, 4B; An addendum will be distributed at the meeting.]

      (3) Reports from the Communications and Coordination Committee. [Supplement No. 5]

(4) Division I Cabinet reports.

(a) Academic Cabinet. [Supplement No. 6]

(b) Administration Cabinet. [Supplement No. 7]

(c) Amateurism Cabinet. [Supplement No. 8]

(e) Championships/Sports Management Cabinet. [Supplement No. 9]

(f) Recruiting Cabinet. [Supplement No. 10]

(g) Student-Athlete Awards, Benefits and Financial Aid Cabinet. [Supplement No. 11]

(5) Report of the October 20-21 Legislative Council. [Supplement No. 12; An addendum will be distributed at the meeting.]

(6) Review of legislative items in the 2008-09 cycle of potential interest to the Leadership Council. [Supplement No. 13]

(7) Update regarding the work of the Men's Basketball Academic Enhancement Group. [Supplement No. 14]

(8) Report from the Student-Athlete Advisory Committee. [Supplement No.15]

b. Association-wide matters.

(1) Report from the August 7 and October 30 NCAA Executive Committee meetings. [Supplement No. 16; An addendum will be distributed at the meeting.]

(2) Minority Opportunities and Interests Committee. [Supplement No. 17]

5. News from the NCAA.

a. Update regarding championships travel initiatives. [Supplement No. 18A, 18B, 18C]

b. Litigation update. [Supplement No. 19 will be distributed at the meeting.]

c. Governmental relations report. [Supplement No. 20]

6. 2009 NCAA Convention update. [Supplement No. 21]

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

8. Adjournment.

Membership Moratorium Discussion Document

1. **General Division I Membership Requirements.** (NCAA Bylaws 20.9 through 20.9.6.)

   a. Is the Division I philosophy statement (Bylaw 20.9) still reflective of the standards to which members of Division I should subscribe? Are some of the philosophy statements outdated? Should the bylaw be revised to include additional philosophy statements?

   b. Do the Division I minimum financial aid requirements (Bylaw 20.9.1.2) need adjusting? Such requirements were adopted over 15 years ago. Should Division I institutions be expected to provide a greater level of financial commitment to their student-athletes?

   c. Should the conditions of membership include a specified minimum level of academic support services in the sport of basketball?

   d. Should Division I institutions be required to sponsor more than a minimum of 14 sports at the varsity level?

2. **Change of Division – Reclassification from Division II to Division I.** (Bylaw 20.5)

   a. Should there be a limit on how many Division II institutions can enter the reclassification process in a given year?

   b. Should conference membership or sponsorship be a prerequisite for entering year one of the reclassification process?

   c. Does the current five-year transition process meet its intended objective in preparing reclassifying institutions to conduct successful programs and provide a meaningful intercollegiate experience for its student-athletes at the Division I level?

   d. Should the provisional process be eliminated, thus requiring institutions from outside the NCAA to enter Division I following a minimum period in Division II?

3. Division I Football Championship Subdivision (FCS) Requirements. (Bylaw 20.9.8)

a. Should additional requirements be implemented for institutions seeking or maintaining FCS membership? Currently, the only additional requirements relate to scheduling of opponents.

b. Is there a more effective way to evaluate whether institutions with football programs reclassifying from Division II to Division I are prepared to participate as an FCS member?

c. Should there be a limit on how many Division II institutions can enter the reclassification process in a given year?

d. Should conference membership or sponsorship be a prerequisite for entering year one of the reclassification process?

4. Division I Football Bowl Subdivision (FBS) Requirements. (Bylaw 20.9.7.)

a. Should Division I institutions be required to sponsor more than a minimum of 16 sports at the varsity level?

b. Should minimum attendance remain a criterion for FBS membership and, if so, should institutions be allowed to meet the paid attendance method by purchasing the requisite number of tickets to meet the 15,000 attendance requirement?

c. Should a waiver process to any or all of the FBS requirements be implemented? Currently, the legislation prohibits FBS institutions from seeking waivers to any of the FBS membership requirements, which was purposeful. (Proposal 2008-64 would establish a waiver process).

d. Should there be additional requirements for institutions transitioning from FCS to FBS?

5. Multidivisional Membership. (Bylaw 20.4)

a. Should multidivisional membership (sponsoring a single sport other than football and basketball in Division I) continue to be permitted? Would elimination affect migration to Division I? Would elimination have a significant impact on championships in those sports sponsored by less than a majority of the Division I membership (e.g., ice hockey, lacrosse)?

b. Does the current two-year process meet its intended objective in preparing reclassifying institutions to conduct successful programs and provide a meaningful intercollegiate experience for its student-athletes at the Division I level in the applicable sport?

6. Automatic Qualification Requirements. (Bylaw 31.3.4)

- Do the current requirements governing eligibility for automatic qualification into an NCAA championship serve their intended purpose?

  Current requirements were implemented almost a decade ago and were designed to reward multisport conferences with core Division I members (institutions whose entire program has been classified in Division I for the preceding eight years). Modifications to such requirements have been approved to relax such requirements for single sports conferences, conferences that fall below the continuity of membership requirements (grace periods) and waivers to the six-team requirement. Proposals have been sponsored in the 2008-09 legislative cycle to further relax the definition of a core institution. Is it time to reexamine automatic qualification standards?

Attachment 1A
Attachment 1B
Attachment 1C
Attachment 1D
Attachment 1E
Attachment 1F-1
Attachment 1F-2

20.9 DIVISION I MEMBERSHIP REQUIREMENTS

DIVISION I PHILOSOPHY STATEMENT

In addition to the purposes and fundamental policy of the National Collegiate Athletic Association, as set forth in Constitution 1, members of Division I support the following principles in the belief that these statements assist in defining the nature and purposes of the division. These statements are not binding on member institutions but serve as a guide for the preparation of legislation by the division and for planning and implementation of programs by institutions and conferences. A member of Division I:

(a) Subscribes to high standards of academic quality, as well as breadth of academic opportunity;

(b) Strives in its athletics program for regional and national excellence and prominence. Accordingly, its recruitment of student-athletes and its emphasis on and support of its athletics program are, in most cases, regional and national in scope;

(c) Recognizes the dual objective in its athletics program of serving both the university or college community (participants, student body, faculty-staff, alumni) and the general public (community, area, state, nation);

(d) Believes in offering extensive opportunities for participation in varsity intercollegiate athletics for both men and women;

(e) Sponsors at the highest feasible level of intercollegiate competition one or both of the traditional spectator-oriented, income-producing sports of football and basketball. In doing so, members of Division I recognize the differences in institutional objectives in support of football; therefore, the division provides competition in that sport in the Bowl Subdivision and the Championship Subdivision; *(Revised: 12/15/06)*

(f) Believes in scheduling its athletics contests primarily with other members of Division I, especially in the emphasized, spectator-oriented sports, as a reflection of its goal of maintaining an appropriate competitive level in its sports program;

(g) Maintains institutional control over all funds supporting athletics; and *(Revised: 1/14/08 effective 8/1/08)*

(h) Understands, respects and supports the programs and philosophies of other divisions. Occasionally, institutions from other divisions or athletics associations will seek membership in Division I. In such cases, the applicants should be required to meet, over a period of time, prescribed criteria for Division I membership in order to assure that such institutions agree and comply with the principles and program objectives embodied in this statement.

General Information

Composition & Sport Sponsorship of the NCAA

September 1, 2007

Composition

	Division I				Division II	Division III	Total
	I-FBS	I-FCS	I	Total			
Active	119	118	92	329	282	422	1,033
Provisional	0	0	1	1	11	22	34
Voting Conference	11	10	10	31	22	41	94
Nonvoting Conference	0	3	20	23	1	15	39
Corresponding							13
Affiliated							68
TOTAL							**1,281**

Definitions

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

Provisional Member
A provisional member is a four-year college or university or a two-year upper-level collegiate institution accredited by the appropriate regional accrediting agency and that has applied for active membership in the Association. Provisional membership is a prerequisite for active membership in the Association. The institution shall be elected to provisional membership under the bylaws of the Association. Provisional members shall receive all publications and mailings received by active members in addition to other privileges designated in the constitution and bylaws of the Association. Provisional membership is limited to a three-year period.

Member Conference
A member conference is a group of colleges and/or universities that conducts competition among its members and determines a conference champion in one or more sports (in which the NCAA conducts championships or for which it is responsible for providing playing rules for intercollegiate competition), duly elected to conference membership under the provisions of the bylaws of the Association. A member conference is entitled to all of the privileges of active members except the right to compete in NCAA championships. Only those conferences that meet specific criteria as competitive and legislative bodies and minimum standards related to size and division status are permitted to vote on legislation or other issues before the Association.

Affiliated Member
An affiliated member is a nonprofit group or association whose function and purpose are directly related to one or more sports in which the NCAA conducts championships, duly elected to affiliated membership under the provisions of the Association bylaws. An affiliated member is entitled to be represented by one nonvoting delegate at any NCAA Convention and enjoys other privileges as designated by the bylaws of the Association.

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 provision of the Association bylaws receives all publications and mailings received by the general NCAA membership and is not otherwise entitled to any membership privileges.

Sport Sponsorship

	MEN'S				WOMEN'S				MIXED			
	I	II	III	T	I	II	III	T	I	II	III	T
Baseball	287	246	367	**900**								
Basketball	329	290	407	**1026**	328	291	433	**1052**				
Bowling	1	1	0	**3**	27	16	6	**49**				
Cross Country	299	241	367	**907**	325	272	385	**982**				
Fencing	19	3	12	**34**	24	4	15	**43**	1	0	0	**1**

Field Hockey					78	25	155	**258**				
Football	236	156	235	**627**								
(I-FBS 119)												
(I-FCS 117)												
Golf	289	210	277	**776**	235	128	155	**518**				
Gymnastics	16	0	2	**18**	64	5	16	**85**				
Ice Hockey	59	7	71	**137**	34	2	44	**80**				
Lacrosse	56	32	143	**231**	83	40	175	**298**				
Rifle	3	0	2	**5**	10	1	2	**13**	16	2	5	**23**
Rowing	29	4	30	**63**	86	15	43	**144**				
Skiing	13	7	18	**38**	14	8	20	**42**				
Soccer	197	176	397	**770**	307	225	419	**951**				
Softball					272	271	404	**947**				
Swimming	136	56	194	**386**	192	73	240	**505**				
Tennis	260	1768	318	**746**	308	220	265	**893**				
Track, Indoor	241	113	222	**576**	292	127	230	**649**				
Track, Outdoor	264	162	260	**686**	304	171	268	**743**				
Volleyball	22	13	47	**82**	316	275	420	**1011**				
Water Polo	22	4	15	**41**	32	9	20	**61**				
Wrestling	87	45	93	**225**								

NCAA Membership Requirements

Division	Sports Sponsorship	Football Attendance Requirements	Scheduling Requirements: Football	Scheduling Requirements: Men's Basketball	Scheduling Requirements: Women's Basketball	Men's Swimming and Diving; Men's Indoor and Outdoor Track and Field	Scheduling Requirements: Other Sports	Financial Aid Minimums	Annual Dues
Bowl Subdivision (formerly I-A)	16 varsity including football; minimum of six male/mixed, minimum eight all female (emerging sport max: two).	15,000 average actual or paid attendance for all home football games. Institution must perform annual certified audit.	At least 60 percent against Football Bowl Subdivision members, including a minimum of four home contests against Football Bowl Subdivision opponents. One contest against a NCAA Football Championship Subdivision opponent may be counted provided the opponent has average 90 percent of the maximum grant in aid over a rolling two-year period.	All but four games against Division I teams, 1/3 of all contests in home arena.	All but four games against Division I teams.	At least 50 percent of contests against Division I opponents.	Contest used to meet minimum number of contests must be against Division I teams. Fifty percent of all additional competition must be against Division I teams.	Provide an average of at least 90 percent of football maximum grants over a rolling two-year period, and annually offer a minimum of 200 athletics grants in aid or $4 million total.	$1,800
Championship Subdivision (formerly I-AA)	Seven male/mixed and seven female, including two team sports per gender and not more than two emerging sports. (Or six male/mixed and eight female).	N/A	At least 50 percent of games schedules and played against Football Bowl Subdivision or NCAA Football Championship Subdivison.	All but four games against Division I teams, 1/3 of all contests in home arena.	All but four games against Division I teams.	At least 50 percent of contests against Division I opponents.	Contest used to meet minimum number of contests must be against Division I teams. Fifty percent of all additional competition must be against Division I teams.	Fifty percent of max grants in 14 sports; or aggregate expenditure of $964,700 ($482,350 for women) on 38 full grants (19 for women) exclusive of football and basketball; or 50 of full grants (25 for women) excluding football and basketball; or exception for institutions with exceptional reliance on federal assistance for student's needs.	$1,800

Division I	Seven male/mixed and seven female, including two team sports per gender and not more than two emerging sports. (Or six male/mixed and eight female.)	N/A	N/A	All but four games against Division I teams, 1/3 of all contests in home arena.	All but four games against Division I teams.	At least 50 percent of contests against Division I opponents.	Contest used to meet minimum number of contests must be against Division I teams. Fifty percent of all additional competition must be against Division I teams.	See NCAA Football Championship Subdivison.	$1,800

Division	Sports Sponsorship	Football Attendance Requirements	Scheduling Requirements: Football	Scheduling Requirements: Men's Basketball	Scheduling Requirements: Women's Basketball	Men's Swimming and Diving; Men's Indoor and Outdoor Track and Field	Scheduling Requirements: Other Sports	Financial Aid Minimums	Annual Dues
II	Five male/mixed and five female, including at least two team sports per gender or; four male/mixed and six female, with at least two teams sports for each gender.	N/A	N/A	N/A	N/A		N/A	Fifty percent of maximum equivalencies in four sports (at least two women's) or; a minimum a total expenditure of $250,000 (with $125,000 for women's sports) or; 20 full equivalency grants with at least 10 for women's sports.	$900
III	Five male/ five female, including at least three team sports for each gender. One sport per gender per season. Effective 8/1/10: Institutions with full time undergraduate enrollment greater than 1,000 shall sponsor six teams for males/mixed and six teams for females. Institutions with full time undergraduate enrollment of 1,000 or less remain at five and five.	N/A	N/A	N/A	N/A		N/A	N/A	$900

NCAA Provisional Membership Requirements

Division	One Year Exploratory Period	Annual Limit	Rules Compliance Progression	Representative Schedule	Required Attendance	Termination	Coaches Certification	Application Fee	Financial Aid
I	Attend orientation session at NCAA Convention, submit formal confirmation of intent to become a Division I member, and present basic strategic plan that addresses the Division I philosophy statement no later than June 30. Application fee of $25,000 due by September 1 of exploratory year.	None	Requirements for each year detailed in Bylaw 3.6.4.2	Four Sport/ Three Season	Orientation, Convention, Regional Seminars	Noncompliance by provisional member results in immediate reclassification to corresponding member or termination.	Years four through seven of provisional membership	$25,000	Satisfy Division I requirements in year one of provisional membership period.
II	Nonrefundable exploratory fee of $1,000.	Established by Management Council on an annual basis.	Sport-sponsorship and minimum financial aid requirements in years one and two. compliance with all bylaws in years three and four.	At least one male/mixed and one female sport shall be conducted in each sport season to apply for provisional membership.	Educational Assessment (Bylaw 3.6.4.3).	Non-complying members may be required to repeat a year of provisional membership or be placed in corresponding or terminated membership by a 2/3 vote of the Management Council Membership Committee.	Required in years three and four of provisional membership period.	$14,000 (determined by Management Council)	For provisional membership to be considered, the institution shall provide at least the required minimum financial aid for active members.
III	Nonrefundable exploratory fee of $500. Attend Exploratory meeting. Convention attendance optional.	Six	Institution shall apply the legislation to the greatest extent possible in years one and two, and comply fully for years three and four.	Institutions must have five male/ five female, including at least three team sports for each gender. One sport per gender per season. Effective 8/1/10: Institutions with full time undergraduate enrollment greater than 1,000 shall sponsor six teams for males/mixed and six teams for females. Institutions with full time undergraduate enrollment of 1,000 or less remain at five and five. In year two, the institution must fulfill contest and participant minimums.	Convention and provisional member education program	Non-complying members may be required to repeat a year of provisional membership and may be placed in corresponding or terminated membership by a 2/3 vote of the Management Council Membership Committee.	Rules test required in year two, recommended in years three and four.	$12,000	Provisional members shall not award new athletically related financial aid to incoming students beginning with the first year of provisional membership and thereafter. After year two, athletically related financial aid may not be provided to any student.

NCAA Reclassification Requirements		
Division	Eligibility for Reclassification into Division	Reclassification out of Division
I	Must complete an exploratory year; Intent form due June 1 (includes multidivisional reclassification) of exploratory year; $15,000 application fee ($5,000 for multidivisional reclassification); Must meet all applicable membership requirements for the four years preceding reclassification; Must meet certain criteria during each of four years (Bylaw 20.5.2.2.).	May petition to join Divisions II or III.
II	Demonstrate compliance with Division II sports sponsorship requirements at the time intent letter submitted; Submit intent four years prior to reclassification; Meet all applicable membership requirements for two years prior to application; Transfer division on September 1 of year selected by institution.	May petition to join Divisions I or III; Division II institutions that submit intent to reclassify to Division I shall be ineligible for all future Division II championships and for Division II enhancement fund proceeds.
III	Intent to reclassify submitted four years prior; Meet all applicable membership requirements for four years prior to application; Transfer division on September 1 of year selected by institution; Participate in reclassifying member education program and complete ISSG in year one (of four year compliance program).	May petition to join Division II. Institutions that forward intent to reclassify shall be ineligible for all future Division III championships; Institutions cannot reclassify to Division I without first spending three years in Division II.

Division	**Multi-Divisional Requirements**
II	• Institutions may sponsor one male and/or one female sport in Division I (excluding football and basketball) and in any sport in which the only NCAA championship is the national collegiate championship; and • Member may be classified in Division I in a sport with Division I and III championships but no Division II championship.
III	• Institutions may sponsor one male and/or one female sport in Division I (excluding football and basketball); and • Institution may belong to Division I in any sport in which the only NCAA championship is the national collegiate championship.

20.3 PROVISIONAL MEMBERSHIP

20.3.1 Provisional Membership Process. A provisional member shall be eligible to apply for active membership only after the successful completion of specified requirements set forth in this bylaw. (See Constitution 3.1.1.) *(Revised: 5/8/06, 8/9/07)*

20.3.1.1 Exploratory Period. An exploratory period will begin from the time the prospective institution's provisional membership application has been approved until the following September 1. During the exploratory period, a provisional member shall receive all publications and mailings received by active member of the Association. In addition, during the exploratory period, the institution is required to satisfy the following: *(Revised: 1/8/07 effective 8/1/07 for those institutions entering the exploratory year on or after 8/1/07)*

(a) Attendance at an orientation session conducted at the NCAA Convention and a regional compliance seminar conducted by the NCAA. Institutional representatives required to attend the orientation session and regional compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the compliance coordinator; *(Revised: 5/8/06, 1/8/07 effective 8/1/07 for those institutions entering the exploratory year on or after 8/1/07)*

(b) Satisfy the minimum sport sponsorship and financial aid membership requirements. The institution shall sponsor at least one sport involving an all-male team or a mixed team of males and females and at least one sport involving an all-female team in every sport season; and *(Adopted: 1/8/07 effective 8/1/07 for those institutions entering the exploratory year on or after 8/1/07)*

(c) Submit a formal confirmation of its intent to become an active Division I member and present a basic strategic plan that addresses the Division I philosophy statement (see Bylaw 20.9) and certification operating principles (see Bylaw 22.2) not later than June 1. *(Revised: 5/8/06, 1/8/07 effective 8/1/07 for those institutions entering the exploratory year on or after 8/1/07)*

20.3.1.1.1 Application of Infractions and Reinstatement Processes. During the exploratory period, a provisional member shall not be subject to the NCAA enforcement and student-athlete reinstatement processes. *(Adopted: 1/8/07)*

20.3.1.2 First Year. During the first year of provisional membership, an institution shall satisfy the following requirements: *(Revised: 5/8/06)*

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

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

(c) Fulfillment of other selected NCAA requirements set forth in Constitution 3 and 6 (e.g., faculty athletics representative, student-athlete advisory committee) at the beginning of the first year of provisional membership; and *(Revised: 1/8/07 effective 8/1/07 for those institutions entering the exploratory year on or after 8/1/07)*

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

20.3.1.2.1 Application of Infractions and Reinstatement Processes. During the first year of provisional membership, an institution shall not be subject to the NCAA enforcement and student-athlete reinstatement processes. *(Adopted: 1/8/07)*

20.3.1.3 Second Year. During the second year of provisional membership, an institution shall satisfy the following requirements: *(Revised: 5/8/06)*

(a) Full compliance with all Division I legislation and membership requirements (see Bylaw 20.9) at the beginning of the second year of provisional membership; *(Revised: 1/8/07 effective 8/1/07)*

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

(c) Attendance at the NCAA Convention and at least one regional compliance seminar conducted by the NCAA or a member conference. Institutional representatives required to attend the NCAA Convention and regional compliance seminar are the president or chancellor (or an individual appointed by the presi-

dent or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the compliance coordinator;

(d) Process institutional and individual student-athlete violations of NCAA legislation through the NCAA enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of NCAA legislation; and *(Adopted: 1/8/07)*

(e) Submit an annual report and updated strategic plan by June 1 based on feedback received from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report. *(Revised: 1/8/07, 11/1/07 effective 8/1/08)*

20.3.1.4 Third Year. During the third year of provisional membership, an institution shall satisfy the following requirements: *(Revised: 5/8/06)*

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

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

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

(d) Process institutional and individual student-athlete violations of NCAA legislation through the NCAA enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of NCAA legislation; and *(Adopted: 1/8/07)*

(e) Submit an annual report and updated strategic plan by June 1 based on feedback from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report. *(Revised: 1/8/07, 11/1/07 effective 8/1/08)*

20.3.1.5 Fourth Year. During the fourth year of provisional membership, an institution shall satisfy the following requirements: *(Revised: 5/8/06, 1/8/07 effective 8/1/07)*

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

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

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

(d) Completion of an NCAA certification orientation;

(e) Process institutional and individual student-athlete violations of NCAA legislation through the NCAA enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of NCAA legislation; and *(Adopted: 1/8/07)*

(f) Submit an annual report and updated strategic plan by June 1 based on the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report. *(Revised: 1/8/07, 11/1/07 effective 8/1/08)*

20.3.1.6 Fifth Year. During the fifth year of provisional membership, an institution shall satisfy the following requirements: *(Revised: 5/8/06)*

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

(b) Attendance at one regional compliance seminar conducted by the NCAA or a member conference. Institutional representatives required to attend the regional compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution),

the director of athletics, the senior woman administrator, the faculty athletics representative and the compliance coordinator;

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

(d) Process institutional and individual student-athlete violations of NCAA legislation through the NCAA enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of NCAA legislation; and *(Adopted: 1/8/07)*

(e) Submit an annual report and updated strategic plan by June 1 based on the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report. *(Revised: 1/8/07, 11/1/07 effective 8/1/08)*

20.3.1.7 Sixth Year. During the sixth year of provisional membership, an institution shall satisfy the following requirements: *(Revised: 5/8/06)*

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

(b) Process institutional and individual student-athlete violations of NCAA legislation through the NCAA enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of NCAA legislation; and *(Adopted: 1/8/07)*

(c) Submit an annual report and updated strategic plan by June 1 based on the previous plan. The institution shall report all violations to the Administration Cabinet as part of the annual report. *(Revised: 1/8/07, 11/1/07 effective 8/1/08)*

20.4 MULTIDIVISION CLASSIFICATION

20.4.1 Multidivision—Classification Options. A member institution may have a sport classified in a division other than the one in which it is a member only in the following circumstances: (See Constitution 3.1.1.) *(Revised: 8/9/07)*

20.4.1.1 Division I Member. A member of Division I may petition to be classified in football in the Bowl Subdivision or the NCAA Championship Subdivision. *(Revised: 1/10/91 effective 9/1/93, 4/28/05, 12/15/06)*

20.4.1.2 Divisions II and III Members—Classification of a Sport in Division I. A member of Division II or Division III may petition to be classified in Division I in any one men's sport, other than football or basketball, and in any one women's sport, other than basketball, and in any single sport in which the only NCAA championships opportunity is the National Collegiate Championship. In addition, a member of Division II may be classified in Division I in a sport in which there is a Division I and a Division III championship, but no Division II championship. *(Revised: 1/11/94 effective 8/1/94)*

20.4.1.3 Women's Multidivision—Classification Limitation. A member institution that has its women's program classified in a division other than its membership division (per Bylaw 20.1.1.1) shall not be eligible to petition for the multidivision-classification opportunities available to a women's program that is classified in the same division as the institution's men's program.

20.4.1.4 National Collegiate Championship. A member institution may petition to be classified in a division other than its membership division in a single sport in which the only NCAA championships opportunity is a National Collegiate Championship for which all divisions are eligible. *(Adopted: 1/10/91, Revised: 1/10/92)*

20.4.2 Requesting Multidivision Classification.

20.4.2.1 Deadline for Submission of Approved Form. When petitioning for multidivision classification, a member shall submit its request to the Administration Cabinet on a form approved by the cabinet. The form must be received in the national office (by mail or electronic transmission) not later than June 1 preceding the year in which the institution will begin complying with the applicable division or subdivision criteria. The application forms shall be accompanied by a $5,000 fee and a strategic plan that addresses the Division I philosophy statement (see Bylaw 20.9) and certification operating principles (see Bylaw 22.2). Any form received after June 1 shall be postmarked not later than May 25. If the institution fails to qualify for active membership, the application fee shall be refunded, less any expenditure for educational costs related to the membership process. *(Revised: 4/25/02 effective 8/1/02, 4/24/03 effective 8/1/03, 8/27/05, 11/1/07 effective 8/1/08)*

20.4.2.1.1 Reclassification from Football Championship Subdivision to Football Bowl Subdivision—Notification Requirement. The president or chancellor from a Football Championship Subdivision institution that intends to petition for reclassification to the Football Bowl Subdivision, per Bylaw 20.4.2, shall submit to the NCAA president written notice of the institution's intention to reclassify. The notice shall be received in the national office (by mail or electronic transmission) not later than June 1 two years prior to the September 1 when the institution intends to reclassify to the Football Bowl Subdivision. *(Adopted: 4/28/05, Revised: 3/8/06, 12/15/06)*

20.4.2.2 Compliance with Criteria. If the member has met all applicable division membership criteria of this article (other than scheduling requirements during the first year of reclassification) and has complied for the two years preceding June 1 with all other bylaw requirements as they pertain to the sport in question (other than the Division III financial aid requirements set forth in Division III Bylaw 15.4, except that athletically related financial aid may not be awarded to incoming freshmen or transfer students), the member shall be eligible for participation in the division in that sport effective the September 1 that the institution selects as its effective date. *(Revised: 1/10/90, 4/25/02 effective 8/1/02)*

20.4.2.2.1 Additional Requirements.

20.4.2.2.1.1 First Year. During the first year of reclassification, an institution shall satisfy the following requirements: *(Adopted: 1/8/07, Revised: 1/14/08 effective 8/1/08 for those institutions that begin the reclassification process on or after 8/1/08)*

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

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

(c) Report all violations to the Administration Cabinet as part of the required annual report. *(Revised: 11/1/07 effective 8/1/08)*

20.4.2.2.1.2 Second Year. During the second year of reclassification, an institution shall satisfy the following requirements: *(Adopted: 1/14/08 effective 8/1/08 for those institutions that begin the reclassification process on or after 8/1/08)*

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

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

20.4.2.2.1.3 Compliance Review Requirement. The institution must engage in a compliance review (at the institution's expense) during the multidivision reclassification period. The review must be conducted by an authority outside the athletics department (e.g., multisport conference, outside consultant), subject to approval by the Administration Cabinet. A copy of the report of the compliance review must be kept on file at the institution and a copy must be submitted to the Administration Cabinet. *(Adopted: 1/14/08 effective 8/1/08 for those institutions that begin the reclassification process on or after 8/1/08)*

20.4.2.2.1.4 Application of Infractions and Reinstatement Process. During the reclassification process, an institution: *(Adopted: 1/8/07)*

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

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

(c) Shall report all violations to the Administration Cabinet as part of the required annual report. *(Revised: 11/1/07 effective 8/1/08)*

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

20.4.3.1 Championships Eligibility. [FCS] A member of Division I that has forwarded to the national office written notice of its intention to change its football membership classification from Championship Subdivision to Bowl Subdivision per Bylaw 20.4.2 no longer shall be eligible for participation in the Division I Football Championship. *(Adopted: 4/26/01 effective 8/1/01)*

20.4.4 Compliance Review Requirement. At least once every four years, an active multidivisional institution must engage in a compliance review (at the institution's expense) conducted by an authority outside the athletics department (e.g., multisport conference, outside consultant), subject to approval by the Administration Cabinet. A copy of the report of the compliance review must be kept on file at the institution and a copy must be submitted to the Administration Cabinet. *(Adopted: 1/14/08 effective 8/1/08)*

20.5 CHANGE OF DIVISION MEMBERSHIP

20.5.1 Reclassification Options. A member institution may request a change of division membership according to the provisions of this section. A member of Division I may petition to change its membership to Division II or Division III, and a member of Division II may petition to change its membership to either Division I or Division III. (See Constitution 3.1.1.) *(Revised: 8/9/07)*

20.5.2 Requesting Reclassification.

20.5.2.1 Deadline for Submission of Petition. When petitioning for change of division membership, a member shall notify the Administration Cabinet on an application approved by the cabinet. The application shall be received in the national office (by mail or electronic transmission) not later than June 1 prior to the academic year that the institution begins its one-year exploratory period in the reclassification process. Any application received after that date shall be postmarked not later than May 25. A fee of $15,000 shall accompany the application. If the applicant fails to qualify for active membership, the application fee shall be refunded, less any expenditure for educational costs related to the membership process. *(Revised: 4/25/02 effective 8/1/02, 4/24/03 effective 8/1/03, 3/10/04, 4/28/05, 10/27/05, 11/1/07 effective 8/1/08)*

20.5.2.2 Compliance with Criteria. If the member has met all applicable membership criteria of this article for the division to which it intends to transfer and has complied for the four years preceding June 1 with all other requirements set forth in this bylaw, the member shall be transferred to the new division effective the September 1 that the institution selects as its effective date. *(Revised: 1/10/90, 4/25/02 effective 8/1/02)*

20.5.2.2.1 Exploratory Year. During the exploratory year, an institution that has petitioned for a change of division or subdivision membership shall satisfy the following requirements: *(Adopted: 4/25/02 effective 8/1/02)*

(a) Attendance at the NCAA Convention and a regional compliance seminar conducted by the NCAA. Institutional representatives required to attend the Convention and compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the compliance coordinator; *(Revised: 8/5/04, 10/27/05, 3/8/06)*

(b) Attendance at an orientation session conducted by the national office staff related to basic Division I membership requirements. Institutional representatives required to attend the orientation session are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the compliance coordinator; *(Revised: 8/5/04, 3/8/06)*

(c) Compliance with all minimum sport sponsorship and financial aid membership requirements; and *(Adopted: 1/8/07 effective 8/1/07 for those institutions entering the exploratory year on or after 8/1/07, Revised: 10/10/07)*

(d) Submit a formal confirmation of its intent to reclassify to Division I and a skeleton strategic plan that addresses the Division I philosophy statement (see Bylaw 20.9) and athletics certification operating principles (see Bylaw 22.2) by June 1. During the exploratory year, an institution that has petitioned for a change of division shall start receiving all NCAA mailings relating to the new division. *(Revised: 3/10/04, 8/4/05)*

20.5.2.2.1.1 Application of Infractions and Reinstatement Processes. During the exploratory year, a Division II member reclassifying to Division I shall continue to process institutional and individual student-athlete violations through the Division II enforcement and student-athlete reinstatement processes. *(Adopted: 1/8/07)*

20.5.2.2.2 First Year. During the first year of reclassification, an institution shall satisfy the following requirements: *(Adopted: 4/25/02 effective 8/1/02; Revised: 3/10/04)*

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

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

(c) Apply all Division I legislation except scheduling requirements and continuing eligibility requirements (e.g., progress-toward-degree, five-year rule) for student-athletes who are completing their final season of competition and were enrolled at the institution at least one year prior to the institution's petition for exploratory membership; *(Revised: 10/27/05, effective 8/1/06)*

(d) Attendance at the NCAA Convention and a regional compliance seminar conducted by the NCAA. Institutional representatives required to attend the Convention and compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the compliance coordinator; *(Revised: 8/5/04, 10/27/05, 3/8/06)*

(e) Attendance at an orientation session conducted by the national office related to the application of Division I legislation and issues impacting Division I. Institutional representatives required to attend

the orientation session are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the compliance coordinator; *(Revised: 8/5/04, 3/8/06)*

(f) Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation; and *(Adopted: 1/8/07)*

(g) Submit an annual report and updated strategic plan by June 1 based on feedback from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report. *(Revised: 8/4/05, 1/8/07, 11/1/07 effective 8/1/08)*

20.5.2.2.3 Second Year. During the second year of reclassification, an institution shall satisify the following requirements: *(Adopted: 4/25/02 effective 8/1/02*)

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

(b) Attendance at the NCAA Convention and a regional compliance seminar conducted by the NCAA. Institutional representatives required to attend the Convention and compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the compliance coordinator; *(Revised: 3/8/06)*

(c) Attendance at a meeting to be conducted at the NCAA Convention to discuss issues impacting Division I members. Institutional representatives required to attend the meeting are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the compliance coordinator; *(Revised: 3/8/06)*

(d) Completion of a compliance review conducted by the national office and submission of a report with an institutional response to findings; *(Adopted: 8/4/05 effective 8/1/06)*

(e) Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation; and *(Adopted: 1/8/07)*

(f) Submit an annual report and updated strategic plan by June 1 based on feedback received from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report. *(Revised: 8/4/05, 1/8/07, 11/1/07 effective 8/1/08)*

20.5.2.2.4 Third Year. During the third year of reclassification, an institution shall satisfy the following requirements: *(Adopted: 4/25/02 effective 8/1/02)*

(a) Attendance at the NCAA Convention and a regional compliance seminar conducted by the NCAA. Institutional representatives required to attend the Convention and compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the compliance coordinator; *(Revised: 3/8/06)*

(b) Attendance at a meeting to be conducted at the NCAA Convention to discuss issues impacting Division I members. Institutional representatives required to attend the meeting are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the compliance coordinator; *(Revised: 3/8/06)*

(c) Completion of an NCAA athletics certification orientation; *(Revised: 5/27/05)*

(d) Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation; and *(Adopted: 1/8/07)*

(e) Submit an annual report and updated strategic plan by June 1 based on feedback received from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report. *(Revised: 8/4/05, 1/8/07, 11/1/07 effective 8/1/08)*

20.5.2.2.5 Fourth Year. During the fourth year of reclassification, an institution shall satisfy the following requirements: *(Adopted: 4/25/02 effective 8/1/02)*

(a) Successfully complete an NCAA athletics certification self-study and evaluation visit;

(b) Attendance at the NCAA Convention and a regional compliance seminar conducted by the NCAA. Institutional representatives required to attend the Convention and compliance seminar are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the compliance coordinator; *(Revised: 8/5/04, 10/27/05, 3/8/06)*

(c) Attendance at a meeting conducted at the NCAA Convention to discuss issues impacting Division I members. Institutional representatives required to attend the annual meeting are the president or chancellor (or an individual appointed by the president or chancellor with executive status at the institution), the director of athletics, the senior woman administrator, the faculty athletics representative and the compliance coordinator; *(Revised: 8/5/04, 3/8/06)*

(d) Process institutional and individual student-athlete violations of Division I legislation through the Division I enforcement and student-athlete reinstatement processes. The institution shall be subject to any and all sanctions for violations of Division I legislation; and *(Adopted: 1/8/07)*

(e) Submit an annual report and updated strategic plan by June 1 based on feedback received from the previous year's plan. The institution shall report all violations to the Administration Cabinet as part of the annual report. *(Revised: 8/4/05, 1/8/07, 11/1/07 effective 8/1/08)*

20.5.3 Championships Eligibility. To be eligible for NCAA championships in the new division on the effective September 1, the institution shall comply with all championships eligibility requirements, as prescribed by Bylaw 31, and otherwise shall be eligible for participation in those championships. In addition, a member of Division I shall comply with the provisions of Bylaw 18.4.2.2.

20.7 DIVISION LEGISLATION

20.7.1 Applicable Legislation. A member institution shall observe the applicable legislation and requirements of its membership division. However, if the institution is eligible to participate in a sport in another division (see Bylaw 20.4 for multidivision-classification privileges), it shall apply the rules of the other division that govern the sport in question.

20.7.1.1 Football Championship Subdivision Member Electing Football Bowl Subdivision Legislation. A Football Championship Subdivision member institution may elect to be governed by the legislation pertaining to the Football Bowl Subdivision, as follows: *(Revised: 12/15/06)*

(a) The institution shall file a declaration of intent with the NCAA president. The declaration shall be received in the national office (by mail or electroinic transmission) not later than June 1 preceding the applicable academic year. Any declaration received after that date shall be postmarked not later than May 25.

(b) Once receipt of the declaration has been confirmed, the institution shall not be eligible for inclusion in championship subdivision football rankings or for consideration for the Division I Football Championship. *(Revised: 12/15/06)*

20.7.1.2 Division III Application. A Division III member institution that has a sport classified in Division I must apply the rules of both divisions, or the more stringent rule if both divisions have a rule concerning the same issue except that in either instance, the Division III institution may apply the Division I playing and practice season regulations of Bylaw 17 in the Division I sport. *(Revised: 1/11/94)*

20.7.1.2.1 Waivers. If a member institution conducts a men's or women's sport that was classified in Division I during the 1982-83 academic year, the Administration Cabinet, by a two-thirds majority of its members present and voting, may approve waivers of the application of the Division III regulations to such a sport. This provision also applies to such an institution that later reclassifies a sport for the opposite gender to Division I. This waiver provision is subject to the following additional conditions: *(Revised: 11/1/07 effective 8/1/08)*

(a) The opportunity is available only to an institution that obtained the waiver prior to January 1, 2004, and used it during the 2002-03 academic year; and

(b) An institution that obtained a waiver for a sport for one gender prior to January 1, 2004, and used it during the 2002-03 academic year, may later request that the waiver be applied to a sport for the other gender only on the approval of the Administration Cabinet, by a two-thirds majority vote of its members present and voting. The institution must demonstrate that it is necessary to do so to attain gender equity within the program. *(Revised: 11/1/07 effective 8/1/08)*

20.8 ELIGIBILITY FOR NATIONAL COLLEGIATE AND DIVISION CHAMPIONSHIPS

20.8.1 Eligibility for National Collegiate Championships. Separate championships in each division are not sponsored in the following sports:

Women's bowling *(Adopted: 4/24/03 effective 8/1/03)*
Men's and women's fencing
Men's gymnastics
Women's gymnastics
Women's ice hockey
Men's and women's rifle
Men's and women's skiing
Men's volleyball
Men's water polo
Women's water polo

Multidivision, Reclassifying and Provisional Institutions for 2008-09

MULTIDIVISION (see Bylaw 20.4)					
INSTITUTION	**YEAR**	**SPORT**	**FROM**	**TO**	**ACTIVE**
University of Central Arkansas	2	WSO/MBA	II	I	2009-10
Florida Gulf Coast University	2	WVB/MBA	II	I	2009-10
Presbyterian College	2	WSB/MTE	II	I	2009-10
University of South Carolina Upstate	2	WSB/MSO	II	I	2009-10
Western Kentucky	2	MFB	FCS	FBS	2009-10
Bryant University	1	MLA/WFH	II	I	2010-11
Seattle University	1	MSO/WSO	II	I	2010-11
University of South Dakota	1	WTO/MTO	II	I	2010-11
Southern Illinois University Edwarsdville	1	MSO/WSB	II	I	2010-11

RECLASSIFYING (see Bylaw 20.5)				
INSTITUTION	**YEAR**	**FROM**	**TO**	**ACTIVE**
Kennesaw State University	4	II	I	2009-10
New Jersey Institute of Technology	4	II	I	2009-10
University of North Florida	4	II	I	2009-10
California State University, Bakersfield	3	II	I	2010-11
University of Central Arkansas	3	II	I	2010-11
Florida Gulf Coast University	2	II	I	2011-12

North Carolina Central University	2	II	I	2011-12
Presbyterian College	2	II	I	2011-12
University of South Carolina Upstate	2	II	I	2011-12
Winston-Salem State University	2	II	I	2011-12
Bryant University	1	II	I	2012-13
University of North Dakota	1	II	I	2012-13
Seattle University	1	II	I	2012-13
University of South Dakota	1	II	I	2012-13
Southern Illinois University Edwardsville	1	II	I	2012-13
PROVISIONAL (see Constitution 3.6 and Bylaw 20.3)				
INSTITUTION	**YEAR**	**FROM**	**TO**	**ACTIVE**
Utah Valley University	6		I	2009-10
Houston Baptist University	1		I	2014-15

History of Multidivisional Classification

Historical Outline of Multidivision Classification

1973

- Reorganization of the NCAA was approved at the Association's first Special Convention.
- The membership was divided into three divisions for competition and legislative purposes.
- An institution in Division II or III may elect to participate in Division I in one sport, other than football or basketball and must abide by the Division I bylaws governing the sport, even though their membership rests in another division.
- Institutions, which elect Division III, could award any number of grants-in-aid, but athletics ability could not be taken into consideration.

1981

- **Adopted** by all divisions to permit a member of Division II or III to petition to be classified in Division I in any one men's sport, other than football or basketball, and in any one women's sport.

1983

- **Adopted** by Divisions I and III to require a Division III member institution that has a sport classified in Division I to apply the rules of both divisions to the sport, or the more stringent rule if both divisions have a rule concerning the same topic. The Division III Steering Committee may approve exceptions to the application of the Division III regulations to a sport at an institution that was a member of Division III and had the sport classified in Division I during the 1982-83 academic year.

1985

- **Defeated** (approved by Divisions I and II, defeated by Division III; approval by all divisions necessary) to permit a Division II member to petition to be classified in Division III in a sport if there is a Division III championship in that sport, but no Division II championship.
- **Adopted** by all divisions to eliminate the opportunities for a Division I member to have a women's sport classified in Division II or III and a Division II member to have a women's sport classified in Division III. Effective September 1, 1986
- **Adopted** by all divisions to provide the Division III Steering Committee with the authority to approve exceptions to the Division III financial aid regulations for a sport classified in Division I for one sex at a Division III institution that already has obtained an exception for a sport classified in Division I for the opposite sex.

1987

- **Defeated** by all divisions to eliminate multidivision classification of sports for all Division III members and to prohibit Division I and Division II institutions from being classified in football or other sports in Division III.
- **Defeated** (defeated by Divisions I and II; no vote declared in Division III, but approval of all divisions necessary) to prohibit Division I and Division II institutions from being classified in football and other sports in Division III.

1991

- **Adopted** by all three divisions to prohibit institutions from classifying its women's athletics program in a division other than the institution's membership division and to permit institutions currently using this opportunity to continue to do so, subject to Council review every three years.
- **Adopted** by all three divisions to prohibit a Division II or III member institution from classifying its women's basketball program in Division I.
- **Defeated** (defeated by Division II; approved by Divisions I and III,

but approval of all divisions necessary) to prohibit a Division II or III member institution from being classified in Division I in one sport for men and/or one sport for women, and to permit the Division I Steering Committee and applicable Division I member institutions to approve exceptions to this requirement.

- **Adopted** by all three divisions to permit a member institution to petition to be classified in a division other than its membership division in a sport in which the only NCAA Championships opportunity is a National Collegiate Championship for which all divisions are eligible.
- **Adopted** by all three divisions to prohibit a member of Division I from being classified in Division II or III in football and to prohibit a member of Division II from being classified in Division III in football. Effective September 1, 1993.

1994

- **Adopted** by Divisions I and III to permit a member institution that has a sport classified in Division I to apply the rules of both divisions, or the more stringent rule if both divisions have a rule concerning the same issue except that in either instance, the institution may apply the Division I playing and practice season regulations of Bylaw 17 in the Division I.
- **Staff Interpretation.** A Division III institution that conducts a sport classified in Division I and meets the criteria for a waiver per NCAA Bylaw 20.6.1.2.1 (waivers), may not provide athletically related financial aid to a student-athlete in that sport if the student-athlete participated in another sport at that

SUMMARY OF MEMBERSHIP REQUIREMENTS FOR DIVISION II PROVISIONAL AND RECLASSIFYING INSITUTIONS

Philosophy Statement

In addition to the purposes and fundamental policy of the National Collegiate Athletic Association, as set forth in Constitution 1, members of Division II believe that a well-conducted intercollegiate athletics program, based on sound educational principles and practices, is a proper part of the educational mission of a university or college and that the educational well-being and academic success of the participating student-athlete is of primary concern.

Higher education has lasting importance on an individual's future success. For this reason, the positioning statement for the division and the emphasis for the student-athlete experience in Division II is a comprehensive program of learning and development in a personal setting. The Division II approach provides growth opportunities through academic achievement, learning in high-level athletics competition and development of positive societal attitudes in service to community. The balance and integration of these different areas of learning provide Division II student-athletes a path to graduation while cultivating a variety of skills and knowledge for life ahead.

Members support the following attributes in the belief that these attributes assist in defining the division's priorities and emphasize the division's position within the Association: Learning; Service; Passion; Sportsmanship; Resourcefulness; and Balance. The positioning statement and the attributes shall serve as a guide for the preparation of legislation by the division and for planning and implementation of programs, initiatives and policies by member institutions, conferences and the Division II governance structure.

Furthermore, a member of Division II believes in a set of common features, which assist in defining the division. Such features include exceptional teacher-to-student ratios that provide student-athletes with a quality education, a unique model of staffing in which coaches provide additional services such as teaching and mentoring, and the development of community partnerships and student-athlete participation in community engagement activities. A member of Division II also believes in the following principles, which assist in defining the division:

(a) Promoting the academic success of its student-athletes, measured in part by an institution's student-athletes graduating at least at the same rate as the institution's student body;

(b) That participation in intercollegiate athletics benefits the educational experience of its student-athletes and the entire campus community;

(c) Offering opportunities for intercollegiate athletics participation consistent with the institution's mission and philosophy;

(d) That championships are intended to provide national-level competition among eligible student-athletes and teams of members institutions;

(e) Preparing student-athletes to be good citizens, leaders and contributors in their communities;

(f) Striving for equitable participation and competitive excellence, encouraging sportsmanship and ethical conduct, enhancing diversity and developing positive societal attitudes in all of its athletics endeavors;

(g) Scheduling the majority of its athletics competition with other members of Division II, insofar as regional qualification, geographical location and traditional or conference scheduling patterns permit;

(h) Recognizing the need to "balance" the role of the athletics program to serve both the institution (e.g., participants, student body, faculty-staff) and the general public (e.g., community, area, state);

(i) Offering an opportunity for participation in intercollegiate athletics by awarding athletically related financial aid to its student-athletes;

(j) That institutional control is a fundamental principle that supports the educational mission of a Division II institution and assumes presidential involvement and commitment. All funds supporting athletics should be controlled by the institution. The emphasis for an athletics department should be to operate within an institutionally approved budget and compliance with and self enforcement of NCAA regulations is an expectation of membership; and

(k) That all members of Division II should commit themselves to this philosophy and to the regulations and programs of Division II.

Provisional Membership Eligibility

20.3.1.1 Types of Institutions

Provisional membership is available to four-year colleges and universities and two-year upper-level collegiate institutions, accredited by the appropriate regional accrediting agency and duly elected to provisional membership under the provisions of Constitution 3.6.3 and Bylaw 20.3.

20.3.1.2 Conditions and Obligations of Provisional Membership

A provisional member in the provisional period of the membership process shall administer its athletics program in accordance with the constitution, bylaws and other legislation of the Association.

<u>Provisional and Reclassifying Institutions</u>

20.3.2 Division II Membership Process – Provisional and Reclassifying Institutions

Institutions seeking to become active members of Division II in all sports must successfully complete all requirements of the Division II membership process, as specified in Bylaw 20.3.

20.3.2.1 Application and Sponsorship

An institution applying for Division II membership shall complete an application signed by the president or chancellor and be received in the national office not later than June 1. An applicant institution must be sponsored by an active member institution or conference. A nonrefundable application fee shall accompany the application form. The amount of the fee will be determined annually by the Membership Committee based on a continual analysis of expenses associated with the membership process. The Management Council, on recommendation of the Membership Committee, may establish an annual limit on the number of eligible institutions that will be selected to begin the membership process.

20.3.2.2 Exploratory Period

Once an institution receives notice that it has been accepted to begin the Division II membership process, the institution shall enter the exploratory period. The exploratory period shall be a minimum of two years. At the completion of the two-year period, the institution shall receive an assessment of its readiness to proceed to the provisional period.

20.3.2.2.1 Educational Assessment Program –Exploratory Period

Institutions are required to complete the following educational activities during the exploratory period:

(a) Year One:

(1) A visit paid by the institution to an active member institution's campus, as selected by the Membership Committee;

(2) A Division II Institutional Self-Study Guide (ISSG);

(3) Demonstrated involvement and commitment of the president or chancellor at the institution in the membership process, as determined by the Membership Committee;

(4) An on-campus assessment conducted by an outside group to review the readiness of the institution to become an active member, as measured against a Division II active member's athletics program as selected by the Membership Committee; and

(5) An annual report submitted by June 1, which shall include the completed Institutional Self-Study Guide (ISSG) and an athletics department strategic plan.

(b) Year Two:

(1) An on-campus assessment conducted by the Membership Committee to review progress;

(2) An annual report submitted by June 1, including an update on Institutional Self-Study Guide (ISSG) action items and the athletics department strategic plan; and

(3) Demonstrated involvement and commitment of the president or chancellor at the institution in the membership process, as determined by the Membership Committee.

20.3.2.3 Provisional Period

After successful completion of the exploratory period, an institution will be invited to enter the provisional period of the membership process. During the provisional period, an institution's readiness to become an active member institution will continue to be evaluated. The length of the provisional period will vary depending on an institution's readiness to become an active member institution; however, in no event shall the provisional period be less than one year. A nonrefundable member education fee will be assessed if an institution is invited to provisional membership. The amount of the fee will be determined annually by the Membership Committee, based on a continual analysis of expenses associated with the new member process. Additionally, a check in the appropriate amount for annual dues (see the current annual dues for active members per Constitution 3.7.3) also shall accompany the notice. The Management Council, on recommendation of the Membership Committee, may establish an annual limit on the number of eligible institutions that will be invited to begin the provisional period.

20.3.2.3.1 Educational Assessment Program – Provisional Period

Institutions are required to complete the following educational activities during the provisional period:

(a) Demonstrated administration of its athletics program in accordance with the constitution, bylaws and other legislation of the Association;

(b) Demonstrated involvement and commitment of the president or chancellor at the institution in the membership process, as determined by the Membership Committee;

(c) An on-campus assessment conducted by an outside group to review the readiness of the institution to become an active member through the use of a compliance blueprint review and progress since the exploratory period assessment. Based on the reports, the institution may be invited to active membership; and

(d) An annual report submitted by June 1.

20.3.2.4. Membership Committee Jurisdiction

Decisions made by the Membership Committee in regard to an institution's standing as an exploratory or provisional member are final.

20.3.2.4.1 Authority of Management Council

The Management Council shall hear and act on an institution's appeal of a decision made by the Membership Committee in regard to an institution's standing as an exploratory or provisional member.

<u>Change of Divisional Membership (All Sports)</u>

20.5.1 Reclassification Process

An institution that is currently an active member of Division I or Division III and seeks to reclassify its divisional membership in all sports to Division II, must successfully complete the membership process specified in Bylaw 20.3.2 in order to obtain active member status within Division II.

20.5.2.2.2 New Division or Subdivision

When the institution's reclassification was the direct result of the creation of a new division or subdivision, the Executive Committee, by a two-thirds majority of its members present and voting, may grant waivers of the three-year requirement of Bylaw 20.5.2.1 if it deems that unusual circumstances warrant such action.

<u>Freshman Academic Requirements</u>

Provisional institutions are required to utilize the NCAA Eligibility Center during their first year and thereafter of the provisional process.

To set-up an account with the NCAA Eligibility Center, your institution's athletics director has to write a letter to the Eligibility Center indicating that they are provisional or reclassifying member and that they wish to start an account with the Eligibility Center. In the letter, they also should list the sports they have, both men's and women's. Then, the Eligibility Center will send your institution a packet of information to help them get started with the process.

14.3.1 Eligibility for Financial Aid, Practice and Competition

A student-athlete who enrolls in a Division II institution as an entering freshman with no previous full-time college attendance shall meet the following academic requirements, as certified by the NCAA Eligibility Center and approved by the Executive Committee, and any applicable institutional and conference regulations, to be considered a qualifier and thus be eligible for financial aid, practice and competition during the first academic year in residence.

Therefore, the NCAA Eligibility Center must certify all freshman student-athletes at your institution prior to representing an institution in intercollegiate competition during the first year and thereafter of the provisional and reclassifying process.

Summary

The bylaws listed above are those bylaws that are required to begin and remain in the provisional and reclassification process. A provisional and reclassifying member shall administer its athletics program in accordance with the constitution, bylaws, and other legislation of the Association. For questions concerning the provisional or reclassifying process, please contact Jess Rigler or Leslie Schuemann, assistant directors for membership services at the NCAA national office.

August 19, 2008

OCT. 2 – ARTICLE FROM INSIDER HIGHER ED.

Redefining Division III

Wise men say, "The family that plays together, stays together." Still, that does not mean there cannot be an occasional argument or two.

After nearly splitting apart, the colleges that play in Division III of the National Collegiate Athletic Association are discussing ways to stick together despite some lingering philosophical differences among them. On the table, and potentially vulnerable to change, are some of the group's bedrock principles, including the division's longstanding prohibition of awarding any financial aid tied to a student's athletic participation or ability.

The Division III Presidents Council released a report last week outlining some of the key issues that the division must address as its membership continues to swell and now that proposals to create either a subdivision within it or a completely separate Division IV failed last spring. Although a recent survey of the membership revealed that 82 percent supported maintaining the division's structure and there is generally a "widespread affinity" among its institutions, it also revealed a number of divergent views concerning supposedly concrete divisional philosophies.

Perhaps most striking is the report's notation that nearly two-thirds of the surveyed members of the division responded that "consideration of leadership in athletics (e.g., team captain) in the awarding of financial aid should be allowed provided it is consistent with the consideration of leadership in other student activities." This majority opinion runs counter to the division's philosophy statement, which notes that member institutions "shall not award financial aid to any student on the basis of athletics leadership, ability, participation or performance."

While Division III did not always prohibit consideration of athletics ability in financial aid packages — in the 1970s the division allowed institutions to award scholarship aid up to an athlete's need level — it has gradually adopted legislation through the years making the scholarship ban one of its defining principles. In light of this, the recent poll figures have appalled some members of the Presidents Council.

"I nearly fell off my chair when I saw that in the survey," says John Fry, president of Franklin & Marshall College and chair of the President's Council. "When one of your bedrock principles is in question, that's more than a philosophical difference. What would separate us from Divisions I and II? One of the big differences between us is how we view financial aid. We put student first and athlete next. Frankly, if that changes, I don't know what we're doing."

Loyalists to the division's current philosophy statement argue that such a change to its financial aid considerations could open a proverbial "Pandora's Box" and provide a "slippery slope" down which further aid-related changes could follow. Although the report's survey indicates great interest in this possibility, some members of the President's Council maintain that discussions during their recent meetings indicate this is a fringe issue for most of the division's athletic conferences.

The report notes that, among the division's 442 member institutions, many cannot make sense of the pros and cons of membership in Division II versus Division III. It also argues that, as the division has grown, it is no longer fair to say that most of its members are small four-year liberal arts colleges. The division's newer membership have significantly smaller enrollments and sports sponsorships than existing members. Additionally, almost two-thirds of its new members came from the National Assocation for Intercollegiate Athletics with the remainder either being unafilliated institutions, newly minted four-year institutions or those who have never before offered varsity athletics.

Some newer members and many considering the division, the report states, assume that running a Division III program is less expensive because of the scholarship ban. While the report notes that this assumption is false in many cases, some argue that enrollment pressures might cause a tuition-strapped institution — such as the profile of many new Division III members — to favor offering some sort of financial aid that considers athletic ability. Partial finacial aid for athletic leadership might help these institutions garner more recruits and, in time, more revenue from their tuition. These institutions have a place, loyalists argue — just not in Division III.

"If financial aid is driving enrollment, then there's another option for those schools, and that's Division II," says James T. Harris, president of Widener University and a member of the Division III President's Council. "I can't foresee a day when Division III would allow athletic scholarships. I don't think that's a reasonable future."

Others, however, see merit in loosening some of the division's more stringent restrictions, including those regulating financial aid. Dick Rasmussen, executive secretary of the University Athletic Association — with members such as Emory University and the University of Chicago, the only Division III conference to have all Assocation of American Universities members — says there is some interest in reconsidering the financial aid stance of the division within his conference, though it has yet to take a formal position. Competing principals within the division's philosophy statement, he asserts, might justify such a change. The division's complete prohibition of athletically related financial aid, he says, violates its mandate that all member institutions "assure that athletics participants are not treated differently from other members of the student body."

"You can make a rational argument that allowing the consideration of leadership in athletics to be considered alongside leadership in any other areas of student interest honors the principle of treating student athletes like everyone else," Rasmussen says. "Still, the question becomes, what's the trade-off?"

Although he says members of his conference were comfortable with Division III as it now exists, Rasmussen says the division could allow its members more autonomy. The division originally had more confidence in its membership to follow its philosophy, he argues, but during the past 15 or so years it has chosen to become more restrictive and intrude on institutional autonomy.

This genesis of this change, he says, began with the passage of a 1988 NCAA proposal that eliminated the consideration of athletics ability from any financial aid packaging in Division III, effectively overturning the prior policy of offering some need-based aid to athletes. From this decision forward, Rasmussen says the outright scholarship ban became one of the division's hallmark principles, reaffirmed by members through multiple challenges.

Even though the latest membership survey indicates strong interest in the loosening of the division's financial aid policy, some members of the Presidents Council say the subject never garnered strong interest in their many town hall meetings with institutions throughout the spring and summer. Still, the Presidents Council has suggested that a "supermajority" be required to make further changes to the division's financial aid standards. Some, however, cautition this further regulation.

Bob Malekoff, assistant professor of sports studies at Guilford College, says the division needs to be careful that there is not an overreliance on legislation to affirm its basic tenets. In addition to the Presidents Council's request for a "supermajority," he also points to a relatively new reporting process by which institutions affirm their adherence to existing financial aid standards. Noting that some violators have been discovered since its

2004 introudcution, the report states this process seeks to find irregularities between financial aid packages for athletes and non-athletes.

Malekoff argues that the division's open-ended eligibility standard — "assure that academic performance of student-athletes is, at a minimum, consistent with that of the general student body" — and its strict financial aid policy might constitue a double standard. Individual institutions are left to determine what dictates adherence to academic eligibility standards, while an official reporting process ensures adherence to financial aid standards. By virture of the reporting process' very existence, Malekoff says some members might argue that thier overall responsibility to regulate themselves has receeded.

"It's interesting that for academic issues, we trust everyone to use their best judgment and value institutional autonomy," says Malekoff, who advised the College Sports Project, an Andrew W. Mellon Foundation study of Division III athletics. "But, on the financial aid issue, we don't have this rule. Maybe there is a lack of trust. Still, maybe there isn't a lack of trust but just an overreliance on legislation."

Ultimately, Malekoff says, tuition-driven institutions argue a lack of athletics financial aid might drive away recruits and institutions that do not have such a reliance on tuition argue any scholarship consideration of the kind might cheapen the Division III experience. While this is one of the pirmary divides in the division, Malekoff acknowledges what he calls "strange bedfellows" who support a more liberal financial aid policy, such as the wealthy institutions of the UAA. For these institutions, the issue seems to represent a philosphical difference in their interpretation of the division's standards. Still, no matter the differences of opinion on this matter, all sides in the division agree it must address its growing numbers before such growth becomes untenable.

Dan Dutcher, an NCAA staff member who is the Division III vice president, said all the issues raised by the President's Council's report — including but not limited to financial aid considerations — will be discussed in great detail by conferences and individual institutions in advance of the January 2009 NCAA Convention in Washington. Now that the division has put aside the discussion of splitting apart, he said it needs to address the issues it will face as it continues to grow together. While Dutcher said he does not think the financial aid piece will change in the coming years, he said he does not think the differences of opinion will splinter the division.

"Everybody believes in the Division III philosophy and endorses it in concept, but with 400-plus institutions it's not surprising that there would be differences in its application," Dutcher said. "We're trying to be sure everyone understands the philosophy and to try to find some middle ground, recognizing that it's a very large division and diverse in terms of institutional and academic mission."

— David Moltz

The original story and user comments can be viewed online at http://insidehighered.com/news/2008/10/02/ncaa.

© Copyright 2008 *Inside Higher Ed*

NCAA DIVERSITY AND INCLUSION DEPARTMENT OVERVIEW

Diversity is a core value in the NCAA Strategic Plan. The Association – through its member institutions, conferences and national office staff – shares a belief and commitment to an inclusive culture that fosters equitable participation for student-athletes and career opportunities for coaches and administrators.

Diversity acknowledges and appreciates individual differences, including race, creed, color, citizenship, national origin, age, sex, religion, disability, sexual orientation and/or gender identity. Inclusion is the process for developing an environment that is comprehensive of the talents of all student-athletes, coaches, athletics administrators, officials and national office staff and represents the true capacity of an organization to adopt and embrace the benefits of diversity. Inclusion is especially important for the NCAA as an intercollegiate athletic association because associations are held together by a strong need and goal to accomplish something that individually the members cannot do alone.

Together, diversity and inclusion are values that promote, support and foster the education and success of student-athletes. Moreover, diversity and inclusion are key elements for the professional growth and development of coaches, athletics administrators, officials and national office staff.

The NCAA's Diversity and Inclusion department is responsible for providing leadership in the development and implementation of strategies, policies and programs designed to promote diversity and inclusion in intercollegiate athletics. The office advocates for a future without barriers, develops an atmosphere with common purposes, values all voices and creates active dialogues.

The NCAA's Diversity and Inclusion department is committed to:

1. Promoting an environment of respect, communication and teamwork.
2. Promoting individual empowerment and personal well-being.
3. Promoting a safe and supportive environment.
4. Recruiting − fosters a more diverse national office, as well as, athletics department staff and student-athlete population on campus. This benefit will increase the Association's pool of diverse applicants, suppliers and sponsors, and it will increase the pools of applicants to member institutions that are seeking a more diverse and inclusive environment.
5. Modeling appropriate diversity and inclusive behaviors for the NCAA intercollegiate culture to accept and adopt.
6. Developing accountability through the publishing and data on the Association's diversity and inclusive successes.
7. Providing a positive impact on productivity.
8. Retaining a high-performing, diverse workforce reduces attrition and is cost effective.

Charlotte Westerhaus, vice president for diversity and inclusion, is responsible for the development of diversity and inclusion goals and initiatives as directed by the Association. The vice president reports directly to the NCAA president and provides coordination and direction to the managing director for human resources pertaining to the Association-wide and national office issues related to diversity and inclusion. Additionally, the office includes a director, whose responsibilities center on supporting the vice president, as well as overseeing and managing programming. The office also includes staff members who support both the vice president and director positions and the overall functions of the office.

NCAA Diversity and Inclusion Initiatives
(As of October 1, 2008)

Diversity Education Workshops
The NCAA annually conducts diversity education workshops on campuses of member institutions and at conference offices. The workshops provide opportunities for student-athletes, coaches, administrators, faculty and staff to enhance their understanding of and respect for diversity and inclusion. Fundamental and advanced workshops are available. The NCAA provides a facilitator and training materials at no cost. Participating institutions and conference offices are responsible for securing a location, audiovisual equipment and lodging for the facilitator; and if necessary, ensuring at least 20 participants are present for the workshop and providing a snack or meal. In order to maximize attendance, multiple sessions may be scheduled or regional sessions that incorporate multiple institutions in the same area may be arranged.

NCAA Fellows Leadership Development Program
To enhance the employment and leadership opportunities for racial/ethnic minorities and women at the senior management level in intercollegiate athletics, the NCAA established the Fellows Leadership Development Program in 1997. Throughout the 18-month program, special emphasis is placed on marketing, public relations, budgeting, booster relations, leadership, compliance, fund-raising, diversity and management. Each fellow also completes a project under the guidance of an athletics administrator and is assigned an executive mentor to assist with career development. Candidates must be recommended by their institution's president or conference commissioner.

NCAA Internship Program
The NCAA provides compensation for a selected number of internships at the national office. Since the program began in 1988, more than 100 individuals have been chosen to fill the one-year assignments that begin in mid-June. Positions are available in various NCAA departments. Any graduate of an NCAA member institution is eligible. Racial/ethnic minority and female candidates are strongly encouraged to apply.

NCAA Leadership Institute for Ethnic Minority Males and Females
The Leadership Institutes for Ethnic Minority Males and Females represent the Association's commitment to addressing the critical shortage of senior-level racial/ethnic minorities within athletics departments and conferences throughout the membership. The 12-month programs are designed to enhance job-related competencies for mid-level athletics administrators through completion of four in-person professional development sessions and a weeklong workshop as well as practical work assignments. Areas of focus include leadership and administration; human-resource management; finance and fund-raising; and booster, public and media relations. Staff members from NCAA membership institutions or conferences are eligible. Each class is limited to 25 participants.

NCAA Football Coaches Academy
Established in 2003, the mission of the NCAA Football Coaches Academy is to assist racial/ethnic minority football coaches with career advancement through skills enhancement, networking and exposure opportunities. The academy also seeks to raise the awareness of the substantial pool of talented racial/ethnic minority football coaches within the sport. This program is administered by the NCAA with support from the American Football Coaches Association, Black Coaches Association and the National Football League. Geared toward coaches with one to eight years of experience, the Men's Football Coaching Program is a three-day workshop that focuses on communication, fiscal responsibilities, building a successful program, moral and ethical considerations and academic issues.

NCAA Expert Coaches Forum
The Expert Coaches Forum is designed to improve and reinforce various aspects of securing, managing and excelling in head football coaching positions at the intercollegiate level. Coaches with eight or more years of experience may apply for the Expert Football Coaches Forum. Recognized football coaches, athletics directors, conference commissioners and higher education search firms serve as faculty for the three-day workshop.

NCAA Future Football Coaches Academy
Aimed at football student-athletes who have recently completed their final season of collegiate eligibility and who have expressed an interest in pursing a football coaching career, the academy is designed to educate individuals about available opportunities and responsibilities associated with coaching at the collegiate level. The academy will be held in conjunction with the American Football Coaches Association national convention and will present mentoring opportunities for participants. Candidates must have exhausted their collegiate eligibility within two seasons of applying for the academy and must be recommended by a current head coach at an NCAA member institution. The Academy is limited to 30-35 participants.

Division II Strategic Alliance Matching Grant Enhancement Program
The matching grant provides funding to enhance gender and diversity through full-time professional administrative positions. Selected institutions and conference offices received matching grant funding for three years with diminishing contributions by the NCAA. The NCAA funds 75 percent of the proposed costs during the first year, 50 percent in the second and 25 percent in the third. Second and third-year funding is contingent upon the submittal of a status report. Matching grant recipients are required to maintain the position for a minimum of two years after matching grant funds are exhausted. A selection committee, comprised primarily of representatives from the Division II membership, selects matching grant recipients through a proposal review process.

Division II Coaching Enhancement Grant (CEG)
The Division II Coaching Enhancement grant program is designed to address the issues of access, recruitment, selection and long-term success of women, racial/ethnic minorities and other individuals in Division II who seek to overcome hiring barriers by providing grant money for the creation of assistant coaching positions in Division II. This grant provides funding for the creation of a new full-time assistant coach position for two years. The NCAA will provide a total of $32,000 to institutions selected to receive the grant, $16,000 each academic year. Selected institutions are required to committee an $8,000 minimum match for each year of the program to supplement the salary and or benefits for the coach position. Each selected institution must also commit $1,200 to provide professional development opportunities.

Division III Strategic Alliance Matching Grant
The matching grant provides funding to enhance gender and diversity through full-time professional administrative positions. Selected institutions and conference offices received matching grant funding for three years with diminishing contributions by the NCAA. The NCAA funds 75 percent of the proposed costs during the first year, 50 percent in the second and 25 percent in the third. Second and third-year funding is contingent upon the submittal of a status report. After NCAA funding has ended, it is preferable that the position be incorporated into the ongoing operation of the institution or conference office. A selection committee, comprised primarily of representatives from the Division III membership, selects matching grant recipients through a proposal review process.

Division III Ethnic Minority and Women's Internship Program
The NCAA awards $23,100 for Division III institutions or conference offices to hire an intern for 20-months. Interns may be assigned to administrative and/or coaching duties. Grants are awarded for a two-year period ($46,200 total). Funding covers the interns' salary ($20,100) and travel to professional development activities ($3,000). The institution or conference office is responsible for providing an additional in-kind contribution of at least $3,000 per year. A selection committee, comprised primarily of representatives from the Division III membership, selects matching grant recipients through a proposal review process.

NCAA Matching Grants for Minority Women Coaches
The NCAA introduced the Matching Grants for Advancement of Minority and Women Coaches program in 2002. Through the matching grant program, the NCAA will annually provide grants to support the development of minority women coaches in intercollegiate athletics. Coaches associations and other organizations focusing on the development of minority women, as well as ethnic minorities and women coaches at all levels, are eligible to apply for grant funds.

NCAA Ethnic Minority and Women's Enhancement Postgraduate Scholarship
The Ethnic Minority and Women's Enhancement Postgraduate Scholarship for Careers in Athletics program was developed by the NCA Committee on Women's Athletics and the NCAA Minority Opportunities and Interests Committee. The NCAA awards 13 scholarships to ethnic minorities and 13 scholarships to female college graduates who will be entering their initial year of postgraduate studies. The applicant must be seeking admission or have been accepted into a sports administration or related program that will help the applicant obtain a career in intercollegiate athletics, such as athletics administrator, coach, athletic trainer or other career that provides a direct service to intercollegiate athletics. Each award is valued at $6,000. The NCAA Ethnic Minority and Women's Enhancement Postgraduate Scholarship for Careers in Athletics is not renewable, and the recipient must be a full-time student at all times while receiving the scholarship.

NCAA Postgraduate Scholarship Program
The NCAA awards up to 174 postgraduate scholarships annually, 87 for men and 87 for women. The scholarships are awarded to student-athletes who excel academically and athletically and who are in their final year of intercollegiate athletics competition. The one-time grants of $7,500 each are awarded for fall sports, winter sports and spring sports. Each sports season (fall, winter and spring), there are 29 scholarships available for men and 29 scholarships available for women. The scholarships are one-time, non-renewable grants. *Please note that this program does not have any racial, ethnic or gender diversity components.*

NCAA Gender Equity and Issues Forum
The NCAA has sponsored 17 previous Title IX/Gender Equity Forums with expert panelists and presenters on topics ranging from ground floor Title IX concepts and gender equity planning to strategies for dealing with the most complex issues impacting women in intercollegiate sports. The Forum also brings together our affiliate organization leaders and legal advisors. Attendees will be engaged by authorities on a broad range of topics and be invited to participate in practical-advice exchanges.

Achieving Coaching Excellence (administered by the Black Coaches Association)
The Black Coaches Association (BCA) collaborated with NCAA diversity and inclusion, the Minorities Opportunities and Interests Committee (MOIC) and the Committee on Women's Athletics (CWA) to create the Achieving Coaching Excellence Programs (ACE) for Women and Men. This popular BCA program is designed to assist an already talented group of assistant coaches to become the next generation of head men's and women's basketball coaches.

NCAA Women's Coaches Academy
In 2002, the NCAA Committee on Women's Athletics (CWA) supported an initiative to train, support and retain women coaches. That was the start of the Women Coaches

Academy (WCA). To date there have been nine highly successful sessions of the five-day academies, which are open to any coach from any sport, and any division. The NCAA Women Coaches Academy provides skills training for coaches at all levels to assist them in being more efficient, productive, resourceful and successful. The academy is designed for women coaches who are ready and willing to increase their individual effectiveness by learning advanced skills and strategies that directly affect their personal and team success. The participants learn skills that are not sport specific, yet ones that are relevant and necessary for coaching responsibilities, beyond the X's and O's.

NCAA and NACWAA Athletics Administrative Partnership
The National Collegiate Athletic Association (NCAA) and the National Association of Collegiate Women Athletic Administrators (NACWAA) will host two NACWAA/HERS Institutes for Administrative Advancement for women athletics administrators this summer on NCAA university campuses.

NCAA Gender Equity and Issues Forum
The NCAA has sponsored 17 previous Title IX/Gender Equity Forums with expert panelists and presenters on topics ranging from ground floor Title IX concepts and gender equity planning to strategies for dealing with the most complex issues impacting women in intercollegiate sports. The Forum also brings together our affiliate organization leaders and legal advisors. Attendees will be engaged by authorities on a broad range of topics and be invited to participate in practical-advice exchanges.

Report of the National Collegiate Athletic Association Division I Leadership Council Meeting

The NCAA Division I Leadership Council submits the following report from its August 6, 2008, meeting:

1. Understanding the new Division I governance structure.

LDC ACTION:

a. Received an overview of the new Division I governance structure to ensure the members had a thorough understanding of the goals and objectives behind restructuring and the importance of the Leadership Council's role in helping the Board of Directors as it seeks to lead Division I; and

b. Learned that the Leadership Council will:

- Serve as the primary advisory group to the Board of strategic and policy issues;
- Provide background information, advice and counsel to the Board on legislative and nonlegislative matters;
- Receive authority from the Board through agendas that mirror the Board of Directors;
- Suggest concepts for the legislative agenda;
- Have a national focus rather than a local/conference one; and
- Retain much of the former Management Council's jurisdiction, except legislation.

2. Discussion with NCAA President Myles Brand.

LDC ACTION:

a. Entered into a conversation with the NCAA President regarding the vitally important role of the Leadership Council as it seeks to think strategically regarding the issues facing Division I and to take a national perspective on behalf of the NCAA; and

b. Were reminded that the Leadership Council must strive to develop a strong relationship with the Board by providing thoroughly developed positions on matters of national concern.

3. Review of three-to-five year national office strategies.

LDC ACTION:

a. Received a presentation from the NCAA president in which he reviewed the three controlling goals that should be at the forefront of the Division I governance representatives' thought processes as they seek to develop positions and recommendations. These controlling goals are:

- Complete this cycle of academic reform;
- Subserve all business, corporate and championships efforts and decisions, especially those concerning basketball, to positioning for and negotiating new media contracts; and
- Focus on issues related to student-athletes and athletics personal well-being.

b. Were encouraged to review the NCAA's Strategic Plan in conjunction with consideration of the three controlling goals.

[Note: The staff will send the Leadership Council members a copy of the NCAA's Strategic Plan.]

4. Update regarding Fantasy Sports Leagues.

LDC ACTION:

a. Were informed by the NCAA President that a recent ruling by the 8th Circuit Federal Court of Appeals in the case of CSC Distrib. And Mkting. Inc. v. Major League Baseball L.P., in which the court applied Missouri state law to professional fantasy leagues, has led fantasy sports games distributors to conclude that offering a college football fantasy game that includes names and game statistics of college student-athletes would be consistent with the ruling;

b. Were advised that there is an apparent conflict with this ruling and a July 2008 NCAA rules interpretation, which states the use of a student-athlete's name in connection with a fantasy sports game even when there is not an entry fee or prize associated, is a violation of NCAA bylaws; and

c. Learned that a cease and desist letter would be sent by the Association on behalf of its members and student-athletes to any distributor engaged in such activities and that the Board, with the help of the Commercial Activities Task Force and eventually the Leadership Council, would be encouraged to address whether fantasy sports games that adhere to certain parameters necessarily violate the principles of amateurism.

5. Discussion regarding the role and purpose of the Leadership Council (i.e., support the Division I Board of Directors and help to identify and manage the agenda for Division I.)

a. Flow of Council's work.

LDC ACTION:

(1) Learned that the meeting schedule for the new Division I governance structure is based on both the Division I Board of Directors' quarterly schedule and the annual Division I legislative cycle, which begins on July 15 with the legislation submission deadline and concludes with the Board's April meeting; and

(2) Discussed how the Leadership Council should seek to develop its meeting schedule so it can be helpful in identifying issues for the governance substructure's examination, while at the same time, seeking to be responsive to the Division I Board of Directors.

b. Structure and timing of meetings.

LDC ACTION:

(1) Agreed that given the number of issues the Council has been asked to examine, that the Leadership Council should meet prior to the meeting already scheduled on January 15 at the NCAA Convention; and

(2) Suggested trying to identify a time near the October Legislative Council and Board of Directors meetings, with the caveat, the meeting should be conducted in the early part of the week to avoid conflicts with travel associated with football games.

[Note: The staff will solicit availability calendars so that a meeting can be scheduled in the fall.]

c. Administrative Committee.

LDC ACTION:

(1) Were informed that under the new governance structure, while the formation of subcommittees are precluded unless legislatively prescribed, each governance body is permitted to form an administrative committee to help address the interim actions of the group; and

(2) Noted it might be too early to determine whether the Council would have interim work, although some members opined they felt an administrative committee would assist with the efficient administration of this Council.

d. Vice chair.

LDC ACTION:

(1) Learned that pursuant to the new Division I governance structure, each council and cabinet has discretion to appoint a vice chair if it is determined that the assignment of such a position would be helpful; and

(2) Determined that given that it was the council's first meeting and the current chair can serve up to two years, it would be prudent to wait before making a determination as to whether a vice chair is needed.

e. Other issues.

LDC ACTION:

(1) Discussed the importance of communication within the new governance structure and having a level of familiarity with the work of the committees that report to it; and

(2) Solicited the names of interested Leadership Council members to serve as liaisons to the following committees:

- Division I Student-Athlete Advisory Committee (1 FBS member and 1 Division I member);
- Minority Interests and Opportunities Committee; and
- Sportsmanship and Ethical Conduct.

[Note: Once the interest surveys have been compiled, liaisons will be selected and the Leadership Council notified.]

6. Review of the functions of the Communications and Coordination Committee.

LDC ACTION:

a. Learned that as a feature of the new Division I governance structure, a Communications and Coordination Committee has been established, which is charged with helping to enhance the level of communication between Division I governance bodies and the membership so that there is a more cohesive approach to managing the Division I agenda; and

b. Were informed that the committee will convene via conference call before/after the grouping of councils and cabinets meetings to help coordinate the consideration of issues and that this committee's report will be shared with Leadership Council members.

7. Reviewed agenda items identified by the Division I governance structure, including the Division I Board of Directors, for consideration and discussion by the Leadership Council.

LDC ACTION: Were informed that the Division I Board of Directors has identified the following four issues as being appropriate for Leadership Council examination and that over the course of its next few meetings, the Leadership Council will be asked to engage in some hard work to offer recommendations to the membership and Board regarding these important issues.

a. Recommend initiatives that will enhance the level of diversity in the Division I governance structure.

LDC ACTION:

(1) Received an overview of the governance subcommittee's efforts to enhance the level of ethnic, gender and positional diversity serving in the Division I governance structure and reviewed the legislative diversity requirements;

(2) Learned that the Board of Directors now plays a keen oversight role in the governance appointment process and has charged the Leadership Council with examining ways to enhance the level of diversity serving within the structure; and

(3) Entered into a preliminary discussion, in which individual members shared ideas to enhance diversity, including:

- Efforts need to focus on broadening the pool from which representatives are selected. There needs to be a focus on developing talent to ready representatives for leadership roles.

- The governance cabinets and the committee structure provides a good opportunity for young professionals to gain experience.

- Conferences may be able to provide assistance by including more and different representatives in their meeting structure.

- The NCAA Convention can serve as a forum to provide development opportunities to young professionals.

- Identifying minority and female professionals for additional exposure to NCAA meetings.

- Increased efforts to discuss employment opportunities in intercollegiate athletics with minority and female student-athletes should be pursued.

- Efforts should be made to learn from successful programs in higher education and elsewhere, as lack of diversity is a societal problem.

- Mentoring efforts, including providing access to reading materials, a dedicated web site and meetings may be beneficial.

- An assessment of current NCAA professional development programs for females and minorities should be conducted to assess their level of success.

[Note: The NCAA Diversity and Inclusion staff will be called upon to assist with this examination. For future discussions the Council asked to see governance service histories by conference.]

b. Update regarding preliminary plans to examine Division I membership standards**.**

LDC ACTION: Learned that as a result of the two-year moratorium in 2000, Division I developed a more detailed educational assessment program and standards to more clearly distinguish football playing institutions among subdivisions, but that the migration to Division I did not slow down. Accordingly, in August 2007, the Division I Board of Directors established a four-year membership moratorium to take time to assess and study the impact of this membership migration and develop reasonable philosophical expectations and legislative requirements that should be adhered to by all institutions desiring to transition to or remain in Division I; and

- Were informed that the Leadership Council has been charged with engaging in that study and offering recommendations concerning Division I membership standards.

- Were advised that the chair of the former Membership and Governance Subcommittees of the Management Council and the current chair of the Administrative Cabinet would be called upon to assist in this project.

[Note: Leadership Council members will be sent reading materials regarding current Division I membership standards in advance of the next meeting.]

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

LDC ACTION:

(1) Were informed that the Task Force's charge is to develop guiding principles and instructive guidelines that clearly identify the balance point between unrealistic idealism and crass commercialism; and

(2) Learned that it is anticipated the Task Force will seek to complete its charge within the next few months, at which time the Leadership Council, in keeping with the three controlling goals, will be asked to provide additional strategic thinking by possibly addressing such questions as "should there be an attempt to regulate the environment?" and "if so, by whom, and with what level of consistency?"

d. Discuss appropriate strategies to consider certain Division I amateurism issues.

LDC ACTION:

(1) Received a brief presentation from the vice president for Membership Service regarding the history of Division I amateurism legislation and the standard of review for amateurism cases, which has evolved over time as more international student-athletes have enrolled in Division I institutions; and

(2) Were informed that:

- The new Division I Amateurism Cabinet plans to review amateurism issues, with specific attention given to the definition of a professional team (and how one may become ineligible based on benefits received by a teammate), as well as issues related to actual and necessary expenses.

- The NCAA student-athlete reinstatement staff and the NCAA Division I Committee on Student-Athlete Reinstatement will discuss with the Legislative Council a desire for additional flexibility from the NCAA Division I Management Council directive regarding competition with professionals.

- The Committee on Student-Athlete Reinstatement (ultimately the NCAA Division I Legislative Council) will review and consider implementing more flexible application of Management Council amateurism directives.

8. Identification of additional issues and themes of importance to the Leadership Council.

LDC ACTION:

a. Were provided an opportunity to share ideas regarding other issues that Council members would like to see examined by the Leadership Council; and

b. Members shared the following areas for review:

- The issues of ethics in sports and how Division I and the Association as a whole can assist coaches associations and other constituent groups in having meaningful conversations regarding ethics and professionalism.

- A broad examination of time demands on student-athletes based on recent research findings, including consideration of restructuring or eliminating the non-championship segment.

- Hiring practices in intercollegiate athletics and whether there is adequate transparency in the process, consistent with typical hiring practices on campus.

- The need for additional professional development for coaches and the possible need for a coaching certification program whereby coaches receive education on a wide array of issues that are designed to assist coaches in focusing on the overall well-being of student-athletes.

- The problem of early recruitment and commitments.

9. News from the National Office.

a. Review of significant agenda items from the August 7, 2008, Division I Board of Directors meeting.

LDC ACTION: Learned that in addition to the items listed on the Leadership Council's agenda, the Board is scheduled to receive a brief overview regarding the preliminary efforts of the Football Academic Enhancement Group, an update from the Oversight and Monitoring Group and a report from the Committee on Academic Performance in which the committee is asking the Board to examine its role in the appellate process for Occasion Three and Four Penalties.

b. Status report on the work of the Men's Basketball Academic Enhancement Working Group.

LDC ACTION:

(1) Received an update on the ongoing work of the Men's Basketball Academic Enhancement Group, which was charged by the Board to think creatively to identify ways to improve the academic performance and ultimately the graduation rates, of Division I men's basketball student-athletes;

(2) Heard from staff and members of the group that the basketball community appears committed to seeking to have meaningful, cultural change in the sport, mindful that the Academic Progress Rate is here to stay; and

(3) Learned that the Basketball Academic Enhancement Group will continue its work at its August 8, 2008, meeting, with the goal of providing the Board with a series of recommendations by October 2008, and that once the Board receives these recommendations, the Leadership Council will be asked to offer its guidance regarding the consideration of the recommendations.

c. Update regarding the membership's override request with regard to Proposal No. 2007-30-C.

LDC ACTION:

(1) Learned that 62 member institutions have submitted override requests regarding the adoption of Proposal No. 2007-30-C, which is intended to prohibit Division I men's basketball coaches from observing "non-scholastic events" during the April contact period;

(2) Were informed that the staff plans to recommend to the Board that it sustain its earlier action in adopting the proposal as the proposal is designed to address concerns about the increase in nonscholastic influences in the sport in the spring and poor academic performance and preparation; and

(3) Voted to recommend to the Division I Board of Directors that it sustain its earlier adoption of Proposal No. 2007-30-C, as the Leadership Council has concerns about the proliferation of nonscholastic events conducted during the April contact period and the resulting consequences to the well being of the prospective students who participate in these events. (Unanimous Voice Vote.)

10. Discussion of appropriate process to evaluate reports from committees that report to the Leadership Council.

LDC ACTION: Mindful that enhanced communication and more coordination between governance groups are key objectives of the Division I governance restructuring, discussed how it wants to receive information from committees that report to the Leadership Council; and noted it hopes to receive succinct reports that highlight salient points.

a. Committee on Women's Athletics.

LDC ACTION: Received the report and heard from the chair that the committee plans to broadly examine ways to enhance diversity both at the coaching and administrative levels, which, in turn, should assist the Leadership Council in its examination of ways to enhance diversity in the Division I governance structure.

b. Minority Opportunities and Interests Committee.

LDC ACTION: Received the report and learned that the Division I Management Council Administrative Committee declined to sponsor legislation in the 2008-09 legislative cycle to provide that each active member would be responsible for submitting annual data demonstrating that their employment practices are in compliance with their institutional employment practices when filling open positions within their athletics department. [Note: In deciding not to sponsor the legislation, the Administrative Committee suggested that MOIC should be encouraged to work on the legislative concept over the course of this next year in an attempt to provide more detail and clarity to the recommendation.]

c. Sportsmanship and Ethical Conduct.

LDC ACTION: Received the report and took no action.

d. Division I Student-Athlete Advisory Committee.

LDC ACTION:

(1) Received the report and learned that the Division I SAAC will seek to provide feedback to the working group examining issues surrounding "at risk" student-athletes.

(2) Were invited to send representatives to the Division I Student-Athlete Regional Leadership Conference scheduled for November 7 – 9, 2008, in La Jolla, California.

11. Other business and issues for discussion.

LDC ACTION: Reviewed the draft 2009 NCAA Convention schedule, and learned the Leadership Council is scheduled to meet as follows:

Thursday, January 15

- Joint Leadership Council/Collegiate Commissioners Association (CCA) meeting – 10 – 11:30 a.m..
- Leadership Council/Legislative Council/CCA Luncheon – 11:30 a.m. – 1 p.m..
- Leadership Council meeting – 1 – 3:30 p.m.

Friday, January 16

- Leadership Council/Legislative Council/SAAC breakfast – 8 – 9:30a.m.
- Division I Issues Forum (suggested) 9:30 – 11:30 a.m.
- Leadership Council/Legislative Council/BOD luncheon 11:30 a.m. – 1 p.m.
- Legislative Forum (suggested) 1:30 – 3:30 p.m.

[Note: If there is a membership vote required with regard to the override request on Proposal No. 2007-30-C, it will occur in the Division I Business Session, which will be held at the conclusion of the Division I Legislative Forum.]

12. Adjournment.

Report of the October 29 - 30, 2008, Division I Board of D

Table of Contents of Key Issues

NCAA president's Report. 1

Report of the Division I Presidential Advisory Group's October 29, 2008, meeting. 4

Report of the Committee on Academic Performance (CAP) 4

Update on the work of the Division I Men's Basketball Academic Enhancement Group..... 6

News from the Division I Governance Structure 6

NCAA 2009 NCAA Convention..... 11

Update regarding championships travel initiatives 12

Appeal from the University of California – Davis. 12

Committee appointments 13

Report of the NCAA Division I Board of Directors meeting
October 29 - 30, 2008

Session 1

Special Closed Session October 29, 2008

1. Opening remarks.

2. **Presentation and discussion regarding value-based decision making.** Had a session to discuss the current financial landscape for intercollegiate athletics and the need for making decisions about intercollegiate athletics that are based on the values of higher education.

3. Adjournment.

Session 2

October 30, 2008

1. Opening remarks.

2. Minutes of the August 7 Board of Directors meeting. [Reference BD Supplement No. 1]

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

3. Report of the August 7 meeting of the NCAA Executive Committee. [Reference BD Supplement No. 2]

BOARD ACTION: Received an update, which included information about the new committee Conflict of Interest Policy, the establishment of the Jim McKay Postgraduate Scholarship and the NCAA's enhanced data sharing efforts.

4. NCAA president's report.

BOARD ACTIONS: Received a report from the NCAA president in which he:

a. Update on NCAA Committee on Sportsmanship and Ethical Conduct Initiative. Informed the group that a subgroup of the Board has been established to offer

comments and direction to the Committee on Sportsmanship and Ethical Conduct as that committee seeks to enhance the level of sportsmanship in intercollegiate athletics and address the problem of negative fan behavior. As part of this update, the Board heard from the chair of the subgroup who explained the committee has done extensive work and has reached the following conclusions, which the subgroup generally supports, including:

- Fan conduct is the most serious and pressing issue.
- Coaches and student-athletes believe they should be responsible for establishing expectations of appropriate behavior.
- Athletics administrators should enforce guidelines for appropriate behavior; addressing negative incidents when they occur.
- In terms of defining sportsmanship, r*espect* and *integrity* are two words that consistently resonate with the membership.

b. Status report of the efforts of the Division I Task Force on Commercial Activity in Intercollegiate Athletics. Informed the Board that the task force is close to completing its goal of developing a statement of principles that reflects the values of higher education and protects the unique amateur status of student-athlete.

[Note: Once developed, this statement of principles will be forwarded to the Board of Directors for preliminary review and then to the Leadership Council so that body can address the necessary application details. Any recommended legislative changes will be addressed by the Division I governance structure and ultimately the Board of Directors.]

5. Litigation update.

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

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

BOARD ACTION: Received a report and took no action.

7. Appearance by representatives from the Division I Committee on Infractions. [Reference BD Supplement No. 5.]

BOARD ACTIONS:

a. Received a report from the chair of the Division I Infractions Appeals Committee in which he not only provided background information about the committee's jurisdiction and policies and procedures, but noted recent changes to the committee's operations as a result of adoption of the Duff Report recommendations. As part of this report, the chair indicated the committee hopes to provide the membership with more information regarding this appellate process and would like to be included in Regional Rules programming.

b. Heard from the former chair of the Division I Committee on Infractions who informed the Board that the committee has conducted a review of the current infraction penalty structure to ensure the penalties are substantially greater than the benefits gained from violating the NCAA rules, reflect the severity of the violations and are in line with penalties given by other NCAA bodies. As a result of this review, the committee is recommending changes to the penalty structure that would provide the committee with more substantial penalties and with a wider array of sanctions options.

[Note: While not all of the recommendations set forth in the Report of the Division I Committee on Infractions will require approval by the Board of Directors, the committee would like Board affirmation that it is moving in the correct direction. It is anticipated that these recommendations will be reorganized in another document by the level of Board action required. Membership feedback will be sought where appropriate before the Board is requested to take formal action.]

8. Report of the Division I Presidential Advisory Group. [Reference BD Supplement No. 6.]

BOARD ACTION: Received a report from the Division I Presidential Advisory Group's October 29, 2008, meeting and heard comments from the group's chair throughout the meeting regarding pertinent points raised by the group.

9. Report of the Committee on Academic Performance (CAP). [Reference BD Supplement No. 7.]

BOARD ACTIONS: Received an update from the Division I Committee on Academic Performance, and as part of that presentation:

a. Reviewed Graduation Success Rate (GSR) data, which shows student-athletes continue to perform well in the classroom, with more student-athletes graduating from college. The GSR data indicates that 79 percent of student-athletes in the 2001 cohort graduated within six years.

b. Learned that of the 270 institutions that have initiated APR data submission, the preliminary information appears to be positive as estimates indicate approximately half of the teams subject to historical penalties appear to have improved enough to reduce or avoid penalties this year. The Board discussed the importance of trying to share this good news broadly.

c. Discussed the value of gaining a better understanding of the high school academic profiles of 2-4 transfers in order to develop sound policy and legislative requirements and used its authority to sponsor Proposal No. 2008- 77 in the 2008-09 legislative cycle. This proposal will require a two-year college transfer to have his/her initial academic eligibility certified by the NCAA Eligibility Center prior to the end of the student-athlete's first regular academic term of full-time enrollment at a Division I institution. (Effective Date: August 1, 2010, for those enrolling in a Division I institution on or after August 1, 2010.) (Unanimous Voice Vote.)

[Note: This recommendation is the second of two initiatives to obtain additional academic data on 2-4 transfers, as requested by four separate NCAA governance groups currently studying the academic progress of this student-athlete subgroup. The CAP has also agreed to update its own data collection requirement to collect information regarding the academic performance of 2-4 transfers while enrolled at the two-year institution.]

d. Approved amendments to the committee's policies and procedures to incorporate a conflict of interest policy for committee members and to reflect revisions drafted since the August 2008 Board meeting. (Unanimous Voice Vote.)

e. Agreed to grant the Committee on Academic Performance time to fully develop the particulars of the mechanism to track the academic performance of head coaches and to engage various coaches associations regarding the reporting format. In discussing such a rate, Board members noted this information would serve as a helpful tool for presidents in their leadership role and the Board suggested the development of a detailed reporting mechanism to be used by

institutions and a more general tool for public dissemination. Board members also mentioned that they would appreciate easy and quick access to such information and suggested the possible inclusion of GSR information.

f. Discussed the fact that while academic reform is an institutional responsibility, some coaches may be slow in adapting to the cultural changes brought on by academic reform, and as a result, there is potential for academic support personnel to experience undue pressure to ensure student-athletes succeed. Mindful of institutional autonomy the members discussed whether there was optimum structure for academic support units for student-athletes.

g. Asked that the issues of professional development and certification for academic support personnel, along with frequency of external reviews of academic support units, be placed on a future agenda for discussion.

10. Update on the work of the Division I Men's Basketball Academic Enhancement Group.

BOARD ACTIONS:

a. Received a progress report on the work of the Men's Basketball Academic Enhancement Group, which was charged by the Board with offering recommendations to enhance the academic progress and graduation rates of men's basketball student-athletes;

b. Learned that the group is scheduled to meet on December 3, at which time it is expected to examine playing and practices season recommendations and to continue its discussion regarding summer school and transfer issues; and

c. Noted that while this examination has taken longer than originally anticipated due to the complexity of the issues, the membership must be clear that the Board has a genuine commitment to academic reform and changing the culture in men's basketball. The Board noted that while the group should work expeditiously it is important that the group also take the necessary time to develop a meaningful response.

11. News from the Division I Governance Structure.

a. Update from the substructure, including a report from the Communications and Coordination Committee. [Reference BD Supplement No. 9A and 9B.]

BOARD ACTION: Received an update from the chair of the Leadership Council regarding the work of that council and the Communications and Coordination Committee and learned those serving within the governance structure appear to have a high level of enthusiasm and a commitment to communicating more effectively with the membership. As part of this report, the chair also reviewed the cabinets and councils priorities.

b. Report of the October 20-21, 2008, Division I Legislative Council. [Reference BD Supplement No. 10.]

BOARD ACTIONS:

(1) Received a report from the chair of the new Legislative Council in which he explained, that under the new Division I legislative process, which assigns a high level of legislative responsibility to the Legislative Council, it is imperative that there is trust in the system and that the council earn that trust.

(2) Learned that the Legislative Council not only had a dynamic first meeting as it reviewed the 68 proposals in the annual cycle but used its emergency or noncontroversial legislative authority to adopt the following three legislative proposals:

(a) Proposal No. 2008-61 -- Committees -- Division I Cabinets and Committees -- Women's Soccer Committee -- Composition – Regions. Intent: To specify that the composition of the NCAA Division I Women's Soccer Committee shall include one member from each of the eight Division I women's soccer regions and two members selected at large.

(b) Proposal No. 2008-69 -- Administrative Regulations -- Summer Basketball Leagues and Certified Basketball Events -- Additional Criteria -- Approval of Event and League Operators – Basketball. Intent: In basketball, to specify that in order for a summer basketball league or a basketball event to be certified, the event or league operator or manager must be approved in accordance with guidelines established by the NCAA basketball certification staff.

(c) Proposal No. 2008-73 -- Executive Regulations -- National Statistics Program. Intent: To specify that the NCAA Division I Championships/Sports Management Cabinet shall oversee the national statistics program and approve its policies and procedures; further, to

specify that the policies and procedures shall be published on the NCAA Web site.

[Note: The Board of Directors accepted the Leadership Council's legislative action.]

(d) Used its authority at the request of the Legislative Council to sponsor the following proposal in the 2008-09 legislative cycle:

Proposal No. 2008-75—Eligibility – Freshman Academic Requirements – Eligibility for Financial Aid, Practice and Competition – Qualifier – Exception – Early Academic Certification – Submission of Transcript. Intent: To specify that if a student-athlete is certified as a qualifier pursuant to the early academic certification exception and his or her initial full-time collegiate enrollment occurs at the certifying institution, the institution shall ensure submission of his or her final high school transcript (official or unofficial) to the NCAA Eligibility Center by November 15 following the student-athlete's initial full-time enrollment; further, to specify that a violation of this provision shall be considered an institutional violation, however, the student-athlete's eligibility shall not be affected. (Unanimous Voice Vote.)

c. Other emergency legislation/legislative sponsored proposals.

BOARD ACTIONS:

(1) Used its emergency legislative authority to adopt Proposal No. 2008-78 -- Playing and Practice Seasons – General Regulations – Skill Instructions – Sports Other Than Football – Publicity. Intent: In sports other than football, to specify that skill-related instruction shall not be publicized and shall not be conducted in view of a general public audience. (Unanimous Voice Vote.)

[Note: In adopting this proposal, Board members state this practice of using two hours of skill instruction prior to the start of the season as a celebratory event for the public and potential recruits warranted the use of the Board's emergency authority and cautioned that if this practice were allowed to continue it could harm the trust that has been built up in recent years between the coaching community and presidential leadership.**]**

(2) Used its legislative authority to place the following proposal in the 2008-09 legislative cycle:

Proposal No. 2008-79 – Amateurism -- Involvement with Professional Teams -- Professional Basketball Draft -- Four-Year College Student-Athlete -- Men's Basketball. Intent: In men's basketball, to specify that an enrolled student-athlete may enter a professional league's draft one time during his collegiate career without jeopardizing eligibility in the sport, provided the student-athlete requests that his name be removed from the draft list and declares his intent to resume intercollegiate participation by the end of the day prior to the first day of the spring National Letter of Intent signing period for the applicable year; the student-athlete's declaration of intent is submitted in writing to the institution's director of athletics; and the student-athlete is not drafted. (Unanimous Voice Vote.)

d. Legislative issues of interest in the 2008-09 annual cycle. [Reference BD Supplement No. 12.]

(1) Were reminded that pursuant to the new Division I legislative process it is intended that the Legislative Council will take final action on the day-to –day legislative matters necessary for the efficient management of Division I, leaving discretion to the Board to act on the broader issues facing the division. Therefore, to ensure appropriate Board oversight, the Legislative Council's actions in January (and April) will not be considered final until the conclusion of the Board meeting.

(2) Learned that the staff and Councils will seek to assist the Board in identifying legislative issues that should rise to the level of presidential review and briefly reviewed a few legislative proposals in the cycle including, Proposal Nos. 2008-32, 2008-35, 2008-40, 2008-41, 2008-46 and 2008-48.

(3) In reviewing Proposal No. 2008-48 – Playing and Practice Seasons – Baseball – Maximum Number of Contests – 52, discussed the fact that:

- At its April 2006 meeting, the Board tabled Proposal No. 2006-2, which called for a reduction in the maximum number regular season baseball games from 56 to 52.

- At that time, the Board established the Baseball Enhancement Working Group to develop a proposal to address concerns regarding academic performance in baseball and "indicated an intention to review the impact of any changes resulting from the baseball community's proposal in three years to determine whether additional changes to baseball would be warranted to help enhance the overall level of academic performance in that sport."

- In April 2007 the Board adopted the reform package presented by the Baseball Enhancement Working Group and implementation of those recommendations began in August 2008.

- The Board indicated a lack of support for Proposal No. 2008-48 at this time noting there has been insufficient time to assess the impact of the baseball reform package.

e. Follow up from the August meeting: [Reference BD Supplement No. 13.]

BOARD ACTIONS:

(1) Received an update from staff regarding efforts to address membership concerns regarding the application of current legislation pertaining to videographers and were informed that the revised policy is intended to provide participating institutions the ability to capture and utilize championship footage for various non-commercial purposes while assuring the integrity of the NCAA's multimedia rights to the event. Under this policy institutional videographers will be permitted to capture competition footage from the still photographer areas as designated by the championship sports committees in conjunction with the championship media coordinator. Each institution will be permitted to have one videographer for this purpose and will only be permitted to capture footage of events/contests in which it is participating. Further, institutional videographers will be permitted inside the locker room, with approval of the institution's head coach, during periods that are closed/off limits to general, non-NCAA media rights holding members of the media. In addition, institutions are permitted to use institutional videographer footage captured for specified commercial uses subject to specific usage restrictions, which are set forth in the NCAA Videographer Policy as found in Supplement 13B.

(2) Discussed the fact that pursuant to the Board's earlier request, it appears a workable compromise has been reach but indicated a desire for periodic updates regarding the application of this videographer policy.

(3) Defeated Proposal No. 2007-109 -- Executive Regulations – NCAA Properties and Marketing Restrictions – Exception for Institutions Participating in NCAA Championship Events – Number of and Access of Videographers and Photographer. Intent: To permit an institution to designate two videographers and one photographer to be present at NCAA championship events involving the institution's teams; further to specify that

one videographer shall be permitted access to the area designated for media photographers and shall be limited to capturing video images for nonscouting purposes and to specify that one videographer and the photographer shall have access to the institution's team locker room prior to, during and after the contest, subject to institutional discretion. (Unanimous Voice Vote.)

f. 2009 NCAA Convention. [Reference BD Supplement No. 14.]

BOARD ACTIONS:

(1) Reviewed the schedule of pertinent Division I and Association-wide events scheduled for the 2009 NCAA Convention in Washington D.C. The events are set forth below as follows:

Thursday, January 15

- Opening Business Session. (4 – 5:30 p.m.)
- Delegates Reception and Honors Celebration. (6 – 10 p.m.)

Friday, January 16

- Division I Issues/Legislative Forum. (9 - 11:30 a.m.)
- BOD/Leadership Council/Legislative Council Luncheon. (11:30 a.m.–1 p.m.)
- Division I Issues/Legislative Forum (cont.) (1 – 3:30 p.m.)
- Division I Business Session – At the conclusion of the Legislative Forum. [Note: Vote on the override of Proposal No. 2007-30-c will occur during the Division I Business Session.]

Saturday, January 17

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

(2) Review of override process. Were reminded that as a result of its determination to sustain its previous adoption of Proposal No. 2007-30-c, a vote of the active Division I membership will occur on January 16, 2008, at 3 p.m. during the Division I Business Session. At least a five-eighths majority vote of individual active members present and voting shall be required to override the legislative

action taken by the Board. The vote shall be based on the principle of one institution, one vote and the vote shall be taken by roll call.

12. Update regarding championships travel initiatives. [Reference BD Supplement Nos. 15A, 15B, 15C.]

BOARD ACTIONS:

a. Received a brief update from the NCAA senior vice president of administration and CFO regarding the general financial landscape for intercollegiate athletics in these volatile financial times.

b. Heard a presentation from the NCAA senior vice president for championships regarding recent travel industry trends and were informed:

- With most expenses in for the 2007-08 championships year, the NCAA has incurred an additional $8 million on championships travel over 2006-07, which represents an increase of approximately 23 percent over the 2006-07 fiscal year. If the trend continues, the Association's travel costs will have increased from $33 million in 2006-07 to $50 million in 2008-09, an unsustainable trend.

- These increases are largely attributable to the current travel landscape in which fuel costs are rising and carriers are reducing their flight capacity. In addition, when charter flights are necessary, their costs have risen dramatically, primarily due to fuel costs. Often site locations, bracketing and seeding practices further exacerbate these factors.

c. Learned that the staff has sought to address these concerns by developing a series of recommendations that fall within three tiers based on the level of approval required and were told the Board will be kept informed regarding the impact of changes that have been enacted.

13. Appeal from the University of California – Davis. [Reference BD Supplement No. 16.]

BOARD ACTION:

The Board reviewed and discussed correspondence and pertinent points submitted by the University of California – Davis related to the university's request to receive a portion of Division I broad-based revenue distribution. It

was noted that the 2007-08 funds were distributed during the summer based upon calculation of Division I grants-in-aid and sports sponsored during the 2006-07 academic year and that this policy has been followed since 1990-91. The Board voted to sustain the policy, which would not permit the university to receive funds for grants-in-aid awarded and sports sponsored prior to the date the university became an active member of Division I. (Unanimous Voice Vote.)

14. Committee appointments. [Reference BD Supplement Nos. 17A, 17B.]

BOARD ACTIONS: Made the following committee reappointments:

a. Committee on Infractions.

- Brian Holloran - public member (Term 3)
- Alfred Lechner Jr. – public member (Term 3)

b. Infractions Appeals Committee.

- Christopher Griffin – public member (Term 3)
- David Williams – Vanderbilt University, Southeastern Conference (Term 2)

15. Report of the Executive Committee Subcommittee on Gender and Diversity Issues.

BOARD ACTION: Did not receive a report due to time constraints but learned that the subcommittee is soliciting for four new Division I members from the NCAA Executive Committee to serve on this important governance body. [Note: 2 FBS members, 1 FCS member and 1 Division I subdivision member are needed.]

16. Future meeting dates.

a. January 17, 2009, Washington D.C., held in conjunction with the NCAA Annual Convention. [Note: there is a BOD luncheon scheduled for January 16.]
b. April 30, 2009, National Office, Indianapolis, Indiana.
c. August 6, 2009, National Office, Indianapolis, Indiana.
d. October 29, 2009, National Office, Indianapolis, Indiana.

17. Adjournment.

MINUTES OF THE

NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

DIVISION I BOARD OF DIRECTORS

MCAA National Office
Indianapolis, Indiana

August 7, 2008

Participants:

Michael Adams, University of Georgia, Southeastern Conference
Charles Bantz, Indiana University-Purdue University at Indianapolis, Summit League
James Barker, Clemson University, Atlantic Coast Conference (chair)
William Beauchamp, University of Portland, West Coast Conference
Frank Brogan, Florida Atlantic University, Sun Belt Conference
Robert Bruininks, University of Minnesota, Big Ten Conference
Thomas Buchanan, University of Wyoming, Mountain West Conference (alternate)
Bruce Grube, Georgia Southern University, Southern Conference
Robert Kustra, Boise State University, Western Athletic Conference
Kevin Mullen, Siena College, Metro Atlantic Athletic Conference
Harvey Perlman, University of Nebraska, Big Twelve Conference
John Peters, Northern Illinois University, Mid-American Conference
Thomas Powell, Mount St. Mary's University, Northeast Conference
Shirley Raines, University of Memphis, Conference USA
Edward Ray, Oregon State University, Pacific-10 Conference
Nancy Zimpher, University of Cincinnati, Big East Conference
S. David Berst, NCAA
Myles Brand, NCAA
Beth DeBauche, NCAA, recording secretary
Bernard Franklin, NCAA

[NOTE: Unable to attend were Anthony Di Giorgio, Winthrop University, Big South Conference; and David Schmidly, University of New Mexico, Mountain West Conference.

Also in attendance was Damon Evans, University of Georgia, Southeastern Conference, chair of the Division I Leadership Council.

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

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

1. **Opening remarks.** James Barker acknowledged the new members William Beauchamp, Robert Kustra, Ann Millner, Harvey Perlman, John Peters and David Schmidly. He also welcomed Thomas Buchanan who was attending as an alternate.

2. **Executive Committee.** Staff liaison Delise O'Meally provided a review of the committee's April 24, 2008 meeting along with a preview of the committee's August 7, 2008, meeting.

3. **President's Report.** NCAA President Myles Brand provided his quarterly report to the Board of Directors, in which he discussed, among other things, the three-to-five year National Office controlling goals, sportsmanship and the problems with negative fan behavior, a recent court ruling related to fantasy sports leagues and progress with the youth basketball initiative.

4. **Committee on Infractions and Infractions Appeals Committee.** Heard from Bernard Franklin and David Berst that the staff had a productive meeting with the Infractions Appeals Committee, as that committee seeks to change its policies in keeping with recent legislative changes.

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

6. **Report of the Division I Presidential Advisory Group (PAG).** The Division I Presidential Advisory Group chair, Bruce Grube, provided an overview of the group's August 4, 2008 conference call.

7. **Review of the August 6, 2008, Division I Leadership Council meeting.** Damon Evans, chair of the new Division I Leadership Council, provided this report, which highlighted the issues on the Division I agenda that the Council intends to examine over the course of its next few meetings.

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

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

10. Update on Division I Task Force on Commercial Activity in Intercollegiate Athletics. Received an update from NCAA President Myles Brand and learned that the task force, which has had two in-person meetings, hopes to complete its work over the course of the next few months in order to report to the Board either at its October or January meetings.

11. **Update from the Oversight and Monitoring Group (OMG).** Shirley Raines, chair of the Oversight and Monitoring Group, provided an update to the Board on the progress made to date regarding the recommendations of the Presidential Task Force on the Future of Division I Intercollegiate Athletics. President Raines was joined by staff liaison Jim Isch, who discussed possible sponsorship by the Board of a legislative proposal.

12. Adjournment. President Barker adjourned the meeting at 1:50 p.m.

# # # # #

REVISED
SUPPLEMENT NO. 5
DI Leadership Council 11/08

REPORT OF

THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

DIVISION I COMMUNICATIONS AND COORDINATION COMMITTEE

CONFERENCE CALL

Participants: October 15, 2008

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

NCAA staff: Wayne Burrow, Megan Coyne, Angie Cretors, Diane Dickman, Lynn Holzman, Michelle Hosick, Brad Hostetter, Amy Huchthausen, Kevin Lennon, Steve Mallonee, Delise O'Meally, Carol Reep, Geoff Silver, Jackie Thurnes, Sharon Tufano, and Leeland Zeller also participated on the call.

The conference call was called to order by the chair, Damon Evans, at 2:05 p.m.

1. **Welcome and opening remarks**. Damon Evans welcomed new Legislative Council chair Joseph D'Antonio to the call and thanked the group for their participation. He reminded the group that the purpose of the call is to identify the big issues on the Division I agenda that are of interest to other governance bodies to ensure a higher level of coordination in consideration of the issues.

2. **Reports from September Cabinet meetings**.

a. Academic Cabinet.

(1) Nonlegislative matters. Academic Cabinet chair, Carolyn Callahan reported that, during its first meeting, the Academic Cabinet focused on identifying big

issues on the Division I agenda and on taking a proactive approach. She reported that the cabinet has identified a number of priority topics to examine, including:

(a) The academic success of transfer students, especially two-year college transfer students. As part of this examination, the cabinet has asked the Division I Board of Directors and the Committee on Academic Performance to collect more data with regard to the academic performance of two-year college students.

(b) Nontraditional course work. [Note: Committee members noted the membership seems to have a number of questions regarding nontraditional course work generally and Proposal Nos. 2008-32 and 2008-35 more specifically. It was reported that the faculty, especially, seem to have questions regarding these proposals and the group suggested not only would education regarding these proposals be important, but faculty athletics representatives should be encouraged to take the lead on this issue.]

(c) The impact of academic reform on academic support personnel.

(d) Time demands on student-athletes.

(2) Legislative matters. Carolyn Callahan mentioned that, from a legislative standpoint, the cabinet:

(a) Recommends the Legislative Council adopt noncontroversial legislation to specify that institutions are required to submit a final high school transcript for student-athletes who were certified as early academic qualifiers; and that these transcripts must be submitted by November 15 following the individual's initial full-time collegiate enrollment.

(b) Supports Proposal No. 2008-48, which would reduce, in baseball, the maximum number of contests from 56 to 52. The cabinet believes this proposal would likely result in less missed class time.

b. Administration Cabinet.

(1) Nonlegislative matters. Administration Cabinet chair, Rob Halvaks reported that, during its first meeting, the cabinet developed some value-based guiding principles to direct its committee appointment process. The cabinet also identified issues for its agenda and plans to:

(a) Work with the Leadership Council to seek to identify ways to develop a broader and more diverse pool of representatives to serve in the governance structure. [Note: Committee members discussed the fact that diversity is more than ethnic and gender diversity and must include positional diversity as well. The group discussed the fact that while there are a number of FARs serving in the structure, their service is not distributed well throughout the structure. Identifying ways to achieve more positional balance in the structure must be part of the broader diversity conversation.]

(b) Begin developing an assessment tool for the new Division I governance structure.

(c) Start examining, along with the Championships/Sports Management Cabinet, the current number and structure of sport committee regions.

(d) Assign individual cabinet members to review the progress of reclassifying institutions to determine whether it is appropriate to advance the institution to the next year of the reclassification process.

(2) Legislative Matters. Rob Halvaks reported that, from a legislative standpoint, the cabinet:

(a) Supports Proposal No. 2008-59, which adds sand volleyball as an emerging sport for women and removes archery, badminton, synchronized swimming and team handball as emerging sports for women, but recommends that the proposal be divided to permit the Legislative Council to take one action to include sand volleyball as an emerging sport and one action to eliminate the other sports listed as emerging sports.

(b) Took no position on Proposal Nos. 2008-64, 2008-70 and 2008-71, which are intended to address membership-related issues; recommending that the Division I Legislative Council refer the proposals to the Division I Leadership Council to be considered as part of its broader discussion of Division I membership issues during the moratorium.

c. Amateurism Cabinet.

(1) Nonlegislative Matters. Mike Rogers, chair of the Amateurism Cabinet, reported that the cabinet received a great deal of background education during its first meeting to ensure the members had the requisite understanding of the

issues pertaining to amateurism and identified the following matters for future examination:

(a) The issue of agents and advisors interaction with prospective student-athletes and student-athletes and the potential impact on eligibility.

(b) The challenges facing institutions and the Eligibility Center with regard to amateurism certification.

(c) The definition of a professional team and whether the current broad definition unfairly penalizes prospective student-athletes who never intended to professionalize themselves.

(2) Legislative Matters. Mike Rogers also explained that the cabinet supports Proposal No. 2008-13, which is intended, in an individual sport, to permit a student-athlete to accept prize money based on his/her place, finish or performance in an open event during any official vacation period, provided the prize money does not exceed actual and necessary expenses. He explained as this proposal would allow student-athletes participating in individual sports the same opportunity as is currently provided to prospective student-athletes.

d. Awards, Benefits, Expenses and Financial Aid Cabinet.

(1) Nonlegislative matters. Chair, Grace Calhoun reported that the cabinet, in seeking to address its charge, made the determination to face the big issues impacting the division head on rather than take a reactive approach. Based on that determination, the cabinet identified the following issues for thorough consideration over the course of the next few years:

(a) Examination of maximum grant-in-aid limitations, including individual and team limits along with equivalency versus head count designations. Grace noted the time appears right to focus on these important issues separate from competitive equity concerns. She also indicated that it may be helpful to gage the Leadership Council's level of interest in this examination.

(b) Multiyear scholarships/presumption of renewal concept.

(c) Educational outreach to financial aid administrators.

(2) Legislative Matters. From a legislative standpoint, Grace Calhoun noted the cabinet:

(a) Offered an alternative to Proposal 2008-25A. This alternative, Proposal No. 2008-25B, specifies that an institution shall not provide a high school, prepatory school or transfer prospective student-athlete a written offer of athletically related financial aid until he or she has completed the amateurism certification questionnaire administered by the NCAA Eligibility Center. Grace explained this modification eliminated the reference in Proposal No. 2008-25A to official visits out of concern that requiring the amateurism certification questionnaire to be completed prior to an official visit is cumbersome and could result in a delay of a visit.

(b) Recommends that Proposal Nos. 2008-40 and 2008-41, which calls for an increase in the grant-in-aid limits in women's volleyball and baseball, respectively, be tabled by the Legislative Council to allow for time for the cabinet to conduct a broader examination of maximum grant-in-aid limitations for all sports.

e. Championships/Sports Management Cabinet.

(1) Nonlegislative Matters. Cabinet chair, Jeff Schemmel reported that the cabinet:

(a) Received information on both the increase in travel costs for NCAA championships travel costs and the decrease in flight availability, which impacts the ability to transport teams and individual student-athletes to their championship destinations in a timely and efficient manner. He explained that the cabinet reviewed three tiers of recommendations designed to help address these problems. The first tier of recommendations did not require cabinet approval and are being implemented by staff. The cabinet approved the single recommendation in the second tier, which calls for an increase in the travel policy mileage limitation threshold and an increase in the policy regarding the ground commute from the nearest airport to the championships site. This tier-two recommendation was for fall sports only due to their immanency and the cabinet agreed to consider implementing the change for winter and spring championships after assessing the impact. The cabinet also received a summary of tier-three recommendations and agreed that additional discussion by the membership was needed. The cabinet agreed to solicit feedback from institutions, conferences and sports committees. Jeff noted that the cabinet members are mindful that, as a result of the suggested tier-three changes, cabinet members do not want to impede the progress that has been made in the areas of bracketing and seeding.

(b) In Men's and Women's Track and Field, the cabinet agreed to replace the current regional qualifying system with a two-site, three-day format effective with the 2010 championships.

(2) Legislative Matters. From a legislative standpoint, Jeff Schemmel noted the cabinet:

(a) Recommends the Legislative Council sponsor noncontroversial/emergency legislation to amend NCAA Bylaw 13.02.11 and 13.11.1.1., to specify that in the sport of men's basketball, for purposes of applying recruiting legislation, an individual becomes a prospective student-athlete when the individual begins classes for grade seven.

(b) Supports Proposal No. 2008–48, which, in baseball, reduces the maximum number of contests from 56 to 52. The cabinet believes this proposal will help reduce the challenges related to the compression of baseball schedules and would most likely result in less missed class time.

f. Recruiting and Athletics Personnel Cabinet.

(1) Nonlegislative Matters. Chair, Petrina Long reported that the cabinet, using its guiding principles, successfully reviewed a number of legislative proposals in the 2008-09 cycle. Additionally, she reported the cabinet plans to examine the following issues pertaining to recruiting:

(a) Coaching limits and the number of noncoaching staff members.

(b) Early offers of athletics aid. [Note: The committee discussed the fact the Leadership Council had also expressed concern regarding the issue of early offers. This is an issue that may involve a number of bodies in the Division I governance structure.]

(c) The need to stay abreast with technology due to its impact on recruiting and a willingness to review legislation to ensure it is current with advances in technology.

(2) Legislative Matters. From a legislative standpoint, Petrina expressed concern that a legislative concept originating from the Men's Basketball Issues Committee, which specifies in the sport of men's basketball, for purposes of applying recruiting regulations, an individual becomes a prospective student-athlete when the individual begins classes for grade seven, was only reviewed

by the Championships/Sports Management Cabinet and not also by the Recruiting/Athletics Personnel Cabinet.

3. **Lessons learned. What worked well under the new structure and where did you experience challenges**? The chairs all reported they had successful and productive first meetings, hallmarked by enthusiasm and a willingness to address the big issues facing Division I. Committee members indicated a desire to share successful practices in the future and noted that some cabinets had success using a round table discussion format. The chairs noted that together they, along with staff, must strive to identify issues and legislative proposals of interest to more than one governance body.

4. **Preview of the Legislative Council meeting**. Joe D'Antonio reminded the chairs that, under the new governance structure, the Legislative Council has more limited jurisdiction than the former Management Council, as its charge is specifically limited to the examination of legislation. This change in jurisdiction was purposeful as it was designed to bring a higher level of legislative expertise to the division's review of legislation. Joe explained that, at this meeting, the council hopes to provide the membership with more legislative direction in advance of the formal consideration of legislation in January and that as part of this process, the cabinets' positions on legislation will be vetted out. He also mentioned that the council hopes to have a new, simplified reporting format.

5. **Preview of the Leadership Council and Board meeting**. Leadership Council chair, Damon Evan reported that the council, at its meeting on November 5, is scheduled to focus its efforts on beginning its examination of Division I membership standards and continue its discussion regarding ways to enhance the level of diversity serving within the Division I governance structure.

   Board of Directors staff liaison Beth DeBauche reported that, while there are a number of big issues on the Division I agenda, such as the work of the Men's Basketball Academic Enhancement Working Group and the Task Force on Commercial Activity in Intercollegiate Athletics, none of the issues are ripe for immediate determination by the Board. She reported the Board is expected to enter into a value–based discussion, receive a report from the Committee on Infractions and Infractions Appeals Committee and receive an update on the work of the Committee on Academic Performance.

6. **Communication and membership outreach efforts**. The group discussed the importance of communication to the ultimate success of the new structure. The chairs discussed the fact there can be a legitimate expectation that those in the membership will read cabinet

and Council reports, but that every effort should be made to make the volume and type of information shared with the membership more manageable. The chairs shared communication ideas, including more uniformity in report writing and listing the names of the cabinet and Council members with each report. Beth DeBauche requested that the staff be given time to work together to seek to identify ways to streamline the report writing process, with the goal of having more uniform and succinct Division I governance reports. The results of the staff work will be shared with the chairs in advance of the February cabinet meetings. Additionally, the Division I governance staff agreed to work with the multisport conferences and affiliate groups to seek to identify communication strategies that best meet their needs.

7. **Updated cabinet and Council meeting schedule**. The cabinet chairs and staff liaisons were encouraged to work with Shorts Travel to identify meeting dates for 2009 and beyond.

8. **Future calls and meeting dates**. The committee members recommended that they have their next conference call in November/December after the Legislative and Leadership Council meetings, but before the NCAA Convention. Additionally, it was confirmed that the Communications and Coordination Committee would meet on January 16 at the NCAA Convention. Specifically, the chairs' schedule will be as follows:

a. Board of Directors, Legislative and Leadership Council luncheon 11:30 a.m. – 1 p.m.

b. Division I Forum 1 – 3 p.m.

c. Meeting and reception 4 – 6 p.m.

9. **Adjournment.** Communications and Coordination Committee chair Damon Evans adjourned the call at 3:15 p.m.

REPORT OF THE NCAA DIVISON I ACADEMIC CABINET SEPTEMBER 8-9, 2008, MEETING

***ACTION ITEMS*.**

1. Legislative Item - Request for Action by the NCAA Division I Legislative Council.

- **Eligibility – Early Academic Certification – Submission of Transcripts.**

(1) Recommendation. The NCAA Division I Academic Cabinet recommends the NCAA Division I Legislative Council adopt noncontroversial legislation to specify that institutions are required to submit a final high school transcript(s) (official or unofficial) for student-athletes who were certified as early academic qualifiers; further, to specify that the transcripts must be submitted by November 15 following the individual's initial full-time collegiate enrollment. Finally, to specify that failure to satisfy this requirement will be an institutional violation per NCAA Constitution 2.8.1, but will not affect the eligibility of the student-athlete.

(2) Effective Date. August 1, 2009.

(3) Rationale. Current legislation permits an individual to be certified as a qualifier based on core courses, grades and test score through six semesters of high school. In these circumstances, the individual is not required to submit a final high school transcript to the NCAA Eligibility Center. For the 2008-09 academic year, the Eligibility Center did not receive final transcripts from approximately 40 percent of the individuals who were certified as early academic qualifiers. These missing transcripts represent a significant gap in academic data available to the NCAA research staff, which is vital for future policy decisions in Divisions I and II. Without such data, the ongoing review of initial-eligibility and progress-toward-degree rules (e.g., the impact of the increase from 14 to 16 core courses) is threatened. The cabinet views this proposal as noncontroversial because discussions during the NCAA Divisions I and II Management Councils, NCAA Division I Board of Directors and NCAA Division II Presidents Council prior to the adoption of the early academic qualifier guidelines included the expectation that a process would be developed to ensure the collection of final transcripts. The proposed requirement fulfills that expectation. Whereas the submission of transcripts is not necessary for certification of initial eligibility, transcripts could be official or unofficial and will be accepted in any form (e.g., copy, fax), and failure to submit the transcripts will not affect the eligibility of student-athletes. Finally, the cabinet directed the staff to ensure that the

Eligibility Center Web site is updated to provide clear information to institutions regarding which final transcripts are required to be submitted.

(4) Estimated Budget Impact. None to minimal, as institutions generally receive a final high school transcript for admissions purposes.

(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 2009.

a. NCAA Proposal No. 2008-21 – Recruiting – Admissions and Graduation Data, Banned Drug List and Initial-Eligibility Standards – Reports and Notification – Eligibility Center. The cabinet opposes Proposal No. 2008-21, which would specify that the Eligibility Center shall provide the information contained within the disclosure reports related to admissions, graduation-rate data, NCAA Division I Academic Progress Rate (APR) data, Graduation Success Rate (GSR) data, initial-eligibility standards, the NCAA banned drug list and information about nutritional supplements to a prospective student-athlete and his or her parents or legal guardians after he or she has registered with the Eligibility Center or after the Eligibility Center has received an institution's request to add the prospective student-athlete to the institution's Institutional Request List (IRL), whichever occurs first. The cabinet recommends the sponsor modify the proposal to specify that the Eligibility Center shall provide notification of initial-eligibility standards, the banned drug list and information about nutritional supplements to a prospective student-athlete after he or she has registered with the Eligibility Center, and that the Eligibility Center shall provide information related to admissions, Federal Graduation Rate data, APR and GSR data to a prospective student-athlete after he or she has registered with the Eligibility Center and has been placed on an institution's IRL. The cabinet would support the proposal if modified. Further, in the event the sponsor does not accept the cabinet's recommended modification, the cabinet will sponsor an alternative proposal. The cabinet supports the concept of reducing the administrative burden on institutions and providing consistent information to prospective student-athletes by switching responsibility for the distribution of such information to the Eligibility Center.

However, the cabinet noted several difficulties associated with providing information to prospective student-athletes who have not yet registered with the Eligibility Center (i.e., who are only placed on an IRL), as well as with providing institution-specific information when a prospective student-athlete has not been placed on any IRL.

b. **Proposal No. 2008-36 – Eligibility – Progress-Toward-Degree Requirements – Eligibility for Competition – International Competition Waiver – Use of Credits Earned.** The cabinet supports Proposal No. 2008-36, which would specify that credits earned by a student-athlete during the term or terms to which an international competition waiver applies may be used to satisfy the 24/36-hour, percentage-of-degree and grade-point average progress-toward-degree requirements. The cabinet agrees with the sponsor's rationale for the proposal.

c. **Proposal No. 2008-37 – Eligibility – Transfer Regulations – Exceptions for Transfers from Four-Year Colleges – Church Mission.** The cabinet supports Proposal No. 2008-37, which would eliminate the church mission exception to the transfer residence requirement for transfers from four-year colleges. The cabinet noted that participation in a church mission is within the student-athlete's control and such student-athletes should not be provided an exception to the transfer legislation if they decide to transfer to a different four-year institution on return from the church mission.

d. **Proposal No. 2008-39 – Eligibility – Outside Competition – Effects on Eligibility – Exception – Conference All-Star Competition Against U.S. National Team – Women's Ice Hockey.** The cabinet opposes Proposal No. 2008-39, which would specify, in women's ice hockey, that a student-athlete may compete during the academic year as a member of a conference all-star team in up to two contests against the U.S. Women's National Ice Hockey Team in the 12 months prior to the Winter Olympic Games. The cabinet recommends that the sponsor modify the proposal to specify that the student-athlete must be academically eligible for intercollegiate competition at time of the competition. The cabinet would support the proposal if modified. In the event the sponsor does not support the suggested modification, the cabinet will sponsor an alternative proposal. The cabinet noted the limited viable competition available for the U.S. national team, that women's ice hockey teams generally have good APRs and the limited timeframe during which the competition could occur. However, the cabinet supports the consideration of potential academic impact for all such outside competition requests.

e. **Proposal No. 2008-47 – Playing and Practice Seasons – Baseball – Maximum Number of Contests – 52 During the Championship Segment and Four During the Nonchampionship Segment.** The cabinet opposes Proposal No. 2008-47, which would specify, in baseball, that an institution shall limit its total playing schedule with outside competition during the institution's playing season to 52 contests (games and scrimmages) during the championship segment and four contests (games and scrimmages) during the nonchampionship segment. The cabinet noted the continued need for academic improvement in this sport and, as a result, is opposed to making baseball a "two-semester sport." Further, the cabinet noted the challenges created when the baseball season recently was compressed and sees Proposal No. 2008-48 as the best solution to those challenges.

f. **Proposal No. 2008-48 – Playing and Practice Seasons – Baseball – Maximum Number of Contests – 52 During the Championship Segment.** The cabinet supports Proposal No. 2008-48, which would reduce, in baseball, the maximum number of contests from 56 to 52. The cabinet noted the proposal would likely result in less missed class time and time away from campus for baseball student-athletes, which should contribute to improved academic performance overall.

g. **Proposal No. 2008-60 – Division Membership – Provisional Membership Process and Requesting Reclassification – Institutions Subject to Academic Performance Program Penalties.** The cabinet supports Proposal No. 2008-60, which would specify that the NCAA Division I Administration Cabinet may deny an institution's advancement to active Division I membership for any Division II institution seeking reclassification to Division I or any provisional member seeking active Division I status, if any of the institution's sport programs are subject to penalties pursuant to the NCAA Division I Academic Performance Program (APP). The cabinet believes that academic considerations should be part of the membership process and that potential Division I members should be prepared to meet the same academic standards as existing Division I members.

2. **Legislative – Modification of Cabinet-Sponsored Proposals in the 2008-09 Legislative Cycle.**

a. **Proposal No. 2008-32 – Eligibility – General Eligibility Requirements – Full-Time Enrollment – Requirement for Competition – Nontraditional Courses.** The cabinet modified Proposal No. 2008-32, which would specify that enrollment in a nontraditional course (e.g., distance-learning, correspondence, extension, Internet courses, independent study or any other course or credit that is not earned in a typical face-to-face classroom environment with regular contact hours between the instructor and the student) offered by the certifying institution may be

used to satisfy the full-time enrollment requirement for competition, provided the specified conditions are met. The cabinet modified the proposal to also specify that the certifying institution must consider enrollment in such nontraditional courses as regular course enrollment for all students, and that the courses must be available to any qualified students at the certifying institution. The cabinet noted these revisions provide greater specificity and clarity regarding the criteria for nontraditional coursework.

b. Proposal No. 2008-35 – Eligibility – Progress-Toward-Degree Requirements – Regulations for Administration of Progress Toward Degree – Nontraditional Courses. The cabinet modified Proposal No. 2008-35, which would specify that nontraditional courses (e.g., distance-learning, correspondence, extension, Internet courses, independent study or any other course or credit that is not earned in a typical face-to-face classroom environment with regular contact hours between the instructor and the student) completed at a four-year institution other than the certifying institution may be used to meet credit hour and percentage-of-degree requirements, provided the specified conditions are met. The cabinet modified the proposal to also specify that the institution considers enrollment in such nontraditional courses as regular course enrollment for all students, and that the courses must be available to any qualified students at the certifying institution. The cabinet noted these revisions provide greater specificity and clarity regarding the criteria for nontraditional coursework.

3. Nonlegislative.

a. Use of a Core Course Completed After Receiving Athletically Related Financial Aid to Attend an Institution's Summer Term for Purposes of Meeting Initial-Eligibility Requirements. Responding to a request from the NCAA Division I Legislative Review and Interpretations Committee (LRIC) regarding the application of Bylaw 14.3.1.3.1.1 (exception - one core course after high school graduation), the cabinet recommended LRIC issue an interpretation to clarify that a prospective student-athlete who received athletically related financial aid to attend an institution's summer term is not permitted to use an additional core course earned after the institution's summer term to meet initial-eligibility requirements. Cabinet members noted this interpretation would be consistent with the original intent of this legislation, as sponsored by the NCAA Division I Academics/Eligibility/Compliance Cabinet. Although such individuals have not yet enrolled full time in a collegiate institution, the cabinet noted that they are considered student-athletes for purposes of some NCAA legislation and should satisfy initial-eligibility requirements before receiving aid and attending the institution's summer term. Further, the cabinet noted that scenarios in which

prospective student-athletes learn that they have not satisfied the initial-eligibility requirements to become "qualifiers" until after enrollment in summer terms should be reviewed through the initial-eligibility waiver process.

b. Revision of Initial-Eligibility Waiver Policies and Procedures. The cabinet approved revisions to the initial-eligibility waiver policies and procedures, effective for student-athletes entering a collegiate institution on or after August 1, 2009, as follows:

(1) An institution filing a disability initial-eligibility waiver will be required to provide a statement from its disability services office or the campus equivalent that indicates whether the college or university, per its general student policies, considers the student-athlete disabled and outlines the accommodations the institution will provide to this student-athlete. If not, the institution shall indicate why the student-athlete does not qualify for accommodations.

(2) An institution filing a disability initial-eligibility waiver must provide any test results and clinical summary the institution used to determine if the student-athlete qualifies for accommodations. In instances in which the student-athlete has not yet been tested by the institution in order to determine appropriate accommodations, the waiver process shall grant, if appropriate, athletics aid only. After the student-athlete has been evaluated and appropriate accommodations have been determined, that information shall be provided to the NCAA and the student-athlete's waiver reconsidered to determine if full qualifier status is appropriate. In such instances, this second review shall not result in athletics aid being removed if previously granted.

Critically important to the underlying philosophical basis for accommodating students with education-impacting disabilities is the accountability of member institutions to meet the needs of such students beyond assistance with athletics eligibility. Currently, some institutions file waivers for student-athletes with disabilities as a means to achieve qualifier status and make no effort to provide the student-athletes with accommodations once admitted and enrolled at the institution. In some instances, the student-athlete does not meet the institution's requirements to receive disability accommodations. Requiring the abovementioned additional information for situations in which a disability initial-eligibility waiver is requested increases institutional accountability for student-athletes with education-impacting disabilities, and helps ensure that student-athletes with education-impacting disabilities are provided the appropriate accommodations to help them succeed academically.

c. **Approval of High School Review Policies and Procedures.** The cabinet approved revisions to the High School Review Committee Policies and Procedures as recommended by the High School Review Committee to help ensure efficiency and consistency in the processing of high school review cases. The cabinet noted these policies also must be approved by the NCAA Division II Academic Requirements Committee and will be distributed once that action has been taken.

d. **Cabinet Policies and Procedures.** The cabinet approved formal policies and procedures to provide direction and clarity regarding cabinet authority, individual member responsibilities, operational procedures, governance reporting structures and related guidelines.

e. **Final Report of the Division I Academics/Eligibility/Compliance Cabinet Transfer Issues Ad Hoc Group.** The cabinet reviewed the final report of the Transfer Issues Ad Hoc Group and noted the concepts forwarded by the ad hoc group for discussion and possible action. The cabinet determined that additional research on two-year college transfer student-athletes is needed and recommended that the NCAA Division I Committee on Academic Performance begin collecting data related to the academic performance of two-year college transfers through the APP data collection process. The data should include performance while at the two-year institution and subsequent to transferring to the four-year institution.

f. **Update on the NCAA Division I Working Group to Review At-Risk Student-Athlete Issues.** The cabinet received a progress report from the At-Risk Student-Athlete Working Group. The group was established to examine and respond to recommendations of the Presidential Task Force on the Future of Division I Intercollegiate Athletics. The cabinet noted that the working group has identified a number of factors that contribute to a student-athlete's risk of not graduating from a four-year institution and it is developing tools that can be implemented at the institutional level to identify and support student-athletes of various risk levels and to determine whether institutional resources are adequately supporting student-athlete graduation success.

g. **Report from the Eligibility Center.** The cabinet received an update from the Eligibility Center, including an overview of certification activity for the 2008-09 academic year and a discussion of trends in initial-eligibility certification. The Eligibility Center is completing its first season of academic certifications, and will continue with waivers and prospective student-athlete reviews through the fall. The cabinet also received feedback related to Proposal No. 2008-21 from the Eligibility Center representative.

h. **NCAA President's Report.** The cabinet received a report from the NCAA President regarding the new Division I governance structure, including a challenge to the cabinet to provide expertise and leadership on academic issues. The NCAA President discussed the controlling goals that will direct national office strategies for the next three to five years. The first controlling goal is to "complete this cycle of academic reform" and it was noted the cabinet will play a crucial role in attaining this goal.

i. **Updates from Committees Reporting to the Cabinet.** The cabinet received reports from the following committees that report to the cabinet:

(1) Foreign Student Records Committee;

(2) High School Review Committee;

(3) Initial-Eligibility Waiver Committee; and

(4) Student Records Review Committee.

The cabinet also named David Dosser, East Carolina University, as its representative to the High School Review Committee; Annette O'Connor, LaSalle University, as its representative to the Student Records Review Committee; and Loretta Lamar, U.S. Naval Academy, as a representative to the Core-Course Appeals Ad Hoc Group.

j. **Identification of Future Agenda Items and Determination of Priorities.** The cabinet identified the following priority topics to address in the next few years and noted that data collection will be necessary to fully examine each of these issues:

(1) Two-year college transfer student-athletes;

(2) Nontraditional courses;

(3) Impact of academic reform on academic support personnel;

(4) Time demands on student-athletes; and

(5) Impact of progress-toward-degree requirements on degree program selection.

k. Cabinet Communication Strategies. The cabinet identified several constituent groups for targeted communication efforts, including academic organizations (e.g., N4A, FARA), coaches groups and conferences not currently holding a seat on the cabinet. Members were assigned constituent groups for purposes of designing communication strategies best suited for their respective assignments and will report back in February for the purpose of developing a comprehensive communications plan. The plan will include components for delivering information from the cabinet ("outgoing" communication), collecting feedback and input from constituents ("incoming" communication), ensuring consistency in messaging and tailoring delivery methods for each group.

Cabinet Chair: *Carolyn Callahan, University of Virginia, Atlantic Coast Conference*
Cabinet Liaisons: *Matt Burgemeister, Membership Services*
Julie Cromer, Membership Services
Diane Dickman, Membership Services

REPORT OF THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

DIVISION I ADMINISTRATION CABINET

The NCAA Division I Administration Cabinet submits this report from its September 10 – 11, 2008, in-person meeting in Indianapolis, Indiana.

LEGISLATIVE INFORMATIONAL ITEMS.

- **Proposals in the 2008-09 legislative cycle referred to the Administration Cabinet.** The cabinet reviewed Division I legislative proposals assigned to it for review that will be considered by the Division I membership as part of the 2008-09 legislative cycle and offered the following comments: [Reference Admin. Cabinet Supplement No. 8]

  (1) 2008-59 Division Membership – Definitions And Applications – Emerging Sports For Women – Archery, Badminton, Synchronized Swimming, Team Handball And Sand Volleyball Intent: To add sand volleyball as an emerging sport for women; further, to remove archery, badminton, synchronized swimming and team handball as emerging sports for women and to eliminate other specified legislation associated with these sports (e.g., playing and practice season regulations, sports sponsorship minimum contest and participant requirements).

  Cabinet Comment: The cabinet supports the proposal, but recommends that the proposal be divided to permit the NCAA Division I Legislative Council to take one action to include sand volleyball as an emerging sport and one action to eliminate archery, badminton, synchronized swimming and team handball from the list of emerging sports.

  (2) 2008-63 Division Membership – Membership Requirements – Minimum Participants Requirements For Sports Sponsorship – Track And Field – Multi-Day Meets Intent: In track and field, to specify that if the number of student-athletes participating in a multi-day meet on behalf of the institution over the course of the entire meet equals or exceeds the minimum number of participants required for sports sponsorship and the meet is conducted on consecutive days, an institution may use the competition as a contest in meeting the minimum-contest requirements.

  Cabinet Comment: The cabinet took no position on the proposal citing uncertainty about the true impact of the proposal and potential unintended consequences related to maximum dates of competition as set forth in NCAA Bylaw 17.27.5.

(3) 2008-64 Division Membership – Membership Requirements – Football Bowl Subdivision Requirements – Waivers Intent: To specify that the members of the NCAA Division I Administration Cabinet representing NCAA Division I Football Bowl Subdivision (FBS) conferences, by a two-thirds majority of those members present and voting, may grant waivers of the FBS membership requirements.

Cabinet Comment: The cabinet took no position and recommended that the Division I Legislative Council refer the issue to the NCAA Division I Leadership Council to be considered as part of its broader discussion of Division I membership issues during the moratorium.

(4) 2008-70 Executive Regulations – Selection of Teams and Individuals for Championships Participation – Automatic Qualification – Additional Requirements, Sports Other Than Men's Basketball – Multisport Conference – Definition of Core Institution. Intent: In sports other than men's basketball, to specify that for the purposes of multisport conference eligibility for automatic qualification in a particular sport, a core institution is an institution that has been an active member of Division I during the eight preceding years or an institution that has sponsored the sport at the Division I level the eight preceding years.

Cabinet Comment: The cabinet took no position and recommended that the Division I Legislative Council refer the issue to the Division I Leadership Council to be considered as part of its broader discussion of Division I membership issues during the moratorium.

(5) 2008-71 Executive Regulations – Selection Of Teams And Individuals For Championships Participation – Automatic Qualification – Additional Requirements, Sports Other Than Men's Basketball – Multisport Conference – Exception – Member That Has Sponsored The Sport At The Division I Level The Eight Preceding Years. Intent: In sports other than men's basketball, to specify that a multisport conference that falls below six core members may be considered for automatic qualification in that sport, provided the conference adds an institution to its membership (for a total of at least six members) that has sponsored the sport for the preceding eight years at the Division I level and at least six institutions (including the added institution) have conducted conference competition together at the Division I level in the sport the preceding two years.

Cabinet Comment: The cabinet took no position and recommended that the Division I Legislative Council refer the issue to the Division I Leadership

Council to be considered as part of its broader discussion of Division I membership issues during the moratorium.

(6) 2008-72 Executive Regulations – Selection Of Teams And Individuals For Championships Participation – Automatic Qualification – Additional Requirements, Sports Other Than Men's Basketball – Multisport Conference – Exception – Sports Sponsorship. Intent: In sports other than men's basketball, to specify that a multisport conference that adds a conference-sponsored sport may be considered for automatic qualification in that sport, provided at least six institutions have conducted conference competition together at the Division I level for the preceding two years and the sport is sponsored by less than 65 percent of the Division I membership.

Cabinet Comment: The cabinet took no position and recommended that the Division I Legislative Council refer the issue to the Division I Leadership Council to be considered as part of its broader discussion of Division I membership issues during the moratorium.

***NON-LEGISLATIVE INFORMATIONAL ITEMS*.**

a. Understanding NCAA governance and review of the new Division I governance structure. [Reference Admin. Cabinet Supplement No. 1] The staff presented the cabinet members a broad overview of the new Division I governance structure, which highlighted the goals and objectives behind restructuring along with a review of the functions of the various cabinets and Councils. The cabinet was reminded of its responsibility for overseeing and evaluating the new governance structure. The members discussed the structure at length paying particular attention to how the various governance bodies will communicate with one another to ensure a more coordinated Division I agenda. The members also discussed the importance of communicating with all 31 multisport conferences.

b. Update from the Communications and Coordination Committee and the Leadership Council. [Reference Admin. Cabinet Supplement No. 2] The chair informed the cabinet that enhanced communication is intended to be one of the hallmarks of the new Division I governance structure. To assist with the flow of communication between governance groups, the Communications and Coordination Committee, composed of the chairs of the cabinets and the Councils, has been established. This committee is charged with coordinating consideration of issues and legislative concepts between the various Division I governance bodies to facilitate a more cohesive approach to managing the Division I agenda.

c. **Report from the August 6, 2008, Leadership Council meeting.** The cabinet learned that the Division I Board of Directors has identified four primary issues as being appropriate for Leadership Council examination over the course of the next year, and that the Leadership Council, with the help of the cabinets, will be asked to develop suggested recommendations. The four assignments given to the Leadership Council are:

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

(2) To assess the impact of this membership migration and develop reasonable philosophical expectations and legislative requirements that should be adhered to by all institutions desiring to transition to or remain in Division I.

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

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

The cabinet was informed that, at the appropriate time, it will be asked to assist the Leadership Council with both developing initiatives to enhance the level of diversity serving in the governance structure and examining the Division I membership process. During the course of this discussion, the cabinet members began to discuss ways to enhance the level of diversity and suggested it would like to begin working on a committee-based mentoring recommendation whereby up and coming administrators would be invited to participate as observers, or in some other capacity, in the governance structure.

d. **Review of the duties and jurisdiction of the Administration Cabinet**. The cabinet learned that it assumed much of the jurisdiction of the former Division I Management Council's subcommittees and the cabinet reviewed its duties, which include overseeing the administrative functions related to the management of the governance structure, appointing the members of the substructure (e.g., cabinets and committees), and administering the legislation and policies and procedures related to Division I membership. The cabinet also noted that, in conjunction with the Research Committee, it will evaluate, supervise and coordinate research activities, make recommendations regarding research expenditures. [Note: It is anticipated the cabinet will spend more time discussing its role relative to research at its February 2009 meeting.]

e. **Background information regarding the Administration Cabinet's responsibilities**:

(1) Governance. [Reference Admin. Cabinet Supplement No. 4] The cabinet reviewed the Guide to the Division I Governance Structure, which sets forth the recommended and required operating procedures under the new structure. During this review, the members discussed the Governance Subcommittee's goal of transparency and the requirement that all cabinets and Councils work as bodies of the whole. They also discussed the subcommittee's desire to enhance the level of diversity serving within the Division I structure and the important role the 31 multisport conferences will play in improving both the level of diversity and communication within the structure. The cabinet members were informed that in their governance oversight role, they would also be asked to oversee Division I NCAA Convention programming and activities.

(2) Membership. [Reference Admin. Cabinet Supplements No. 5a and 5b] The cabinet received an educational presentation from staff related to membership regulations and procedures set forth in NCAA Constitution 3 and Bylaw 20. Specific areas of emphasis included:

(a) Membership categories (e.g., active, provisional).

(b) Division I minimum membership requirements in the areas of financial aid, sports sponsorship and scheduling.

(c) Football Bowl Subdivision (FBS) and Football Championship Subdivision (FCS) requirements.

(d) Reclassification requirements for prospective new Division I members (provisional membership), prospective Division I members reclassifying from Division II and prospective Division II or III members reclassifying one men's and or one women's sport other than football and basketball in Division I (multidivisional membership).

(e) Legislative penalties (e.g., restricted membership, notice of noncompliance) for failure to satisfy a Division I membership requirement.

The cabinet also was provided an overview of the membership areas for which it would have direct responsibilities (e.g., membership waivers, oversight of the reclassification process). The group engaged in a thorough discussion regarding the process for reviewing the annual reports and updated strategic plans of institutions transitioning to Division I active status. The cabinet agreed to continue the previous practice established by the former Division I Management Council Membership Subcommittee to closely scrutinize each institution's progress in meeting the Division I philosophy statement and certification operating principles and determine on an annual basis, whether it is appropriate to advance the institution to the next year of the reclassification process. The group noted that it's review (with the assistance of a consultant) would occur at its summer meeting and began initial discussions to be continued at its February meeting to effectively and efficiently handle the process.

(3) Committee selections. [Reference Admin. Cabinet Supplement No. 6] Staff provided an overview of the committee appointment process. A process flow chart was provided that detailed the solicitation process (communication with conference offices), distribution of materials to the appropriate appointing bodies (Board of Directors and Administration Cabinet), and the notification of selected individuals. Staff also distributed a list of committees to which the Administration Cabinet will appoint members. The list also contained a brief description of the composition of the committees. Finally, staff reviewed the timeline for committee vacancies and reported that the majority of committees have September term rotation dates but noted that the Board, Councils, cabinets and several committees have term rotations of April, July, and January. Staff provided a timeline that included solicitation, deadline and selection information for the specific term rotation periods.

(4) Association-wide matters. The cabinet was informed that while the various Association-wide committees have been assigned specific reporting lines within the Division I governance structure, from time to time there are Association-wide initiatives originating from the NCAA Executive Committee or from a Division I Ad Hoc group that may be assigned to this cabinet for further review and examination.

f. **NCAA Controlling Goals**. The staff reviewed the three controlling goals that are shaping the National Office's efforts and suggested that these goals should be at the forefront of the cabinet's focus as it seeks to develop positions and recommendations. These controlling goals are:

(1) Complete this cycle of academic reform;

(2) Subserve all business, corporate and championships efforts and decisions, especially those concerning basketball, to positioning for and negotiating new media contracts; and

(3) Focus on issues related to student-athletes and athletics personal well-being.

g. Administration of cabinet.

(1) Flow of cabinet's work and the timing of meetings. The cabinet was informed that the meeting schedule for the new Division I governance structure is based on both the Division I Board of Directors' quarterly schedule and the annual Division I legislative cycle. The members learned that the cabinets have the option of having three in-person meetings per year in September, February and June, with the understanding they are encouraged to use technology when possible to reduce the need for in-person meetings.

(2) Establishment of an Administrative Committee. The cabinet determined, based on its assigned jurisdiction, that an administrative committee would be necessary to address the cabinet's interim actions. The cabinet selected the following members to serve on its Administrative Committee:

(a) Dru Hancock, Big 12 Conference.

(b) Jay Jacobs, Auburn University, Southeastern Conference.

(c) Tanya Rush, Morgan State University, Mid-Eastern Athletic Conference.

(d) Rob Halvaks, Big West Conference.

(3) Vice chair. The cabinet was informed that pursuant to the new Division I governance structure, each Council and cabinet has discretion to appoint a vice chair if it is determined that the assignment of such a position would be helpful to the cabinet or council's work. The cabinet made no decision at this time on a vice chair given that this was the first meeting of this group and the current chair may serve up to two years.

h. Development of possible policies regarding the committee nomination process. [Reference Admin. Cabinet Supplement No. 9] The cabinet discussed the value the Division I membership places on serving on committees and noted the importance of ensuring the membership understands the committee appointment process. The cabinet reviewed the policies and practice used for committee appointments under the former governance structure, paying particular attention to the Division I

Championships/Competition Cabinet's committee appointment policies. The members noted there are certain values that should apply to all committee appointments whether they are sport committees or committees with broader jurisdiction, and relying on the foundation developed by the prior structure, agreed to develop some value-based guiding principles to direct the cabinet's appointment process. These principles are set forth below.

The Division I Administration Cabinet shall:

(1) Seek to identify and appoint the most qualified individual nominated for a committee based on the committee's legislated requirements.

(2) Be committed to enhancing the level of diversity serving on Division I and Association-wide committees not only from a gender and ethnicity standpoint but also in terms of positional representation.

(3) Be sensitive to the history of conference representation and seek to ensure a balanced approach to the appointment process so that each multisport conference is provided adequate opportunities to serve on the variety of committees that compose the Division I and Association-wide governance structures.

(4) Strive to indentify and cultivate new professionals from the membership to serve within the governance structure.

(5) Encourage conferences to nominate only one individual for a committee vacancy, except for those instances when a committee is seeking nominees with distinct backgrounds. (For example, when a committee is seeking one coach and one administrator.)

The Administration Cabinet members agreed that these principles will guide their committee appointment work in February and that they will continue to review and monitor the appointment process to assess whether more and different guidelines are needed.

i. Understanding the Committee Selection Process. How to get ready for the February meeting. The cabinet discussed the fact that, at its February meeting, its committee work will be substantial as it is anticipated the cabinet will be asked to make more than 60 committee appointments. The group discussed the importance of each member being prepared and familiar with the nominees prior to that meeting and suggested conducting a conference call prior to the meeting to address some of the less complex appointment requests so that adequate time is available at the meeting to

thoroughly review the remaining appointments. The members discussed the importance of leaving conference and institutional affiliation "at the door" so that the cabinet members can maintain a broader perspective as they seek to adhere to their principle-based guidelines. The cabinet members indicated a desire to receive committee service histories, a staff developed executive summary and a listing of committee projects and areas of focus to assist in the appointment process.

j. Committee Selections. The cabinet made the following committee appointments:

(1) Division I Amateurism Fact-Finding Committee.

(a) Harold Bardo, director/med prep, Southern Illinois University at Carbondale, Missouri Valley Conference, interim vacancy replacing George Browne.

(b) Fred Smith, faculty athletics representative, Davidson College, Southern Conference, interim vacancy replacing Julie Lessiter.

(2) Division I Men's Basketball Issues Committee.

- Rick Costello, director of athletics, Delaware State University, Mid-Eastern Athletic Conference.

(3) Women's Basketball Rules Committee.

- Curt Miller, head women's basketball coach, Bowling Green State University, Mid-American Conference, interim vacancy replacing Kathy Olivier.

(4) Men's and Women's Ice Hockey Rules Committee.

- John Hill, assistant ice hockey coach, University of Minnesota, Twin Cities, interim vacancy replacing Richard Comley.

(5) Division I Initial-Eligibility Waivers Committee.

(a) Foreign-Student Records Subcommittee.

- Sandra Michael, faculty athletics representative, State University of New York at Binghamton, America East Conference. Term begins January 1, 2009.

(b) Core-Course Review Subcommittee:

(1) Melissa Perry Pluchos, director of student-athlete services, Winthrop University, Big South Conference, interim vacancy replacing Thomas Jimenez.

(2) Colleen Evans, director of student-athlete academic support service, San Diego State University, Mountain West Conference. Term begins January 1, 2009.

(3) Jack Thomas, faculty athletics representative, New Mexico State University, Western Athletic Conference. Term begins January 1, 2009.

(c) Transcript Change Subcommittee:

(1) Maura Bolger, assistance director of athletics, Fairfield University, Metro Atlantic Athletic Conference, interim vacancy replacing Molly Myers.

(2) Christopher Peacock, assistant director of athletics, University of Illinois, Champaign, Big Ten Conference. Term begins January 1, 2009.

6. Division I Progress-Toward-Degree Waiver Committee.

- J. Andrew Noel, director of athletics, Cornell University, Ivy Group.

7. Division I Women's Softball Committee.

[Note: Due to an error in the subdivisional listing on the composition chart, the vacancy will be re-advertised for an East region coach or administrator from the Football Championships Subdivision or the Division I Subdivision.]

8. Division I Awards, Benefits, Expenses And Financial Aid Cabinet.

(a) Mike Scott, financial aid director, Texas Christian University, Mountain West Conference.

(b) Jevita Ruchira de Freitas, director, office of student financial aid, George Mason University, Colonial Athletic Association.

k. **Communication of key items**. The chair reminded the cabinet member of the importance of reporting back to their assigned conference and to the broader membership. Discussion items, which cabinet members were encouraged to share with other constituents, include the guideline principles for committee appointments and the cabinet's position on specific legislative proposals.

l. **Future agenda items.** In addition to considering a number of committee appointments at its February meeting, the cabinet asked to receive a presentation on NCAA research priorities and current projects. The cabinet will continue its discussion about ways to identify a broader and more diverse pool to serve in the governance structure. Further, the group noted that at either its February or June meetings, it should begin developing a governance assessment tool, start examining, along with the Championships/Sports Management Cabinet the current number and structure of sport committees regions. It is also anticipated the cabinet will continue to assess the committee appointment process in light of its guideline principles and that individual members will be assigned to review the progress of reclassifying institutions' to determine whether it is appropriate to advance the institution to the next year of the reclassification process.

m. **Future meeting dates and sites**.

a. February 12-13, 2009, Savannah, GA (Hyatt).
b. June 30, 2009, Indianapolis, Indiana.
c. September, 2009 TBD.

Cabinet chair:	*Rob Halvaks, Big West Conference*
Cabinet liaisons:	*Beth DeBauche, governance*
	Steve Mallonee, membership services
	Delise O'Meally, membership and governance
	Dave Schnase, membership services
	Sharon Tufano, governance

REPORT OF THE
NCAA DIVISION I AMATEURISM CABINET
SEPTEMBER 23-24, 2008, MEETING

***INFORMATIONAL ITEMS*.**

1. Legislative – Comments on Proposals to be initially considered by the Legislative Council in October 2008.

a. Proposal No. 2008-13 – Amateurism – Exception For Prize Money For Student-Athletes – Outside The Playing Season During An Official Vacation Period – Individual Sports. The cabinet supports Proposal No. 2008-13, which would permit, in individual sports, a student-athlete to accept prize money based on his or her place finish or performance in an open athletics event (an event that is not invitation only), provided the competition occurs outside the institution's declared playing and practice season during any official vacation period and the prize money does not exceed actual and necessary expenses and is provided only by the sponsor of the open event.

2. Nonlegislative.

a. NCAA Division I governance structure. The staff conducted a review of the changes to the NCAA Division I governance structure for the cabinet. During this discussion, the staff reviewed the three-to-five year national office strategy and issues on the Division I agenda.

b. Discussion of Vice Chair. The cabinet was informed that pursuant to the new Division I governance structure, each cabinet has discretion to appoint a vice chair if it is determined that the assignment of such a position would be helpful to the cabinet's work. The cabinet made no decision at this time on a vice chair given that this was the first meeting of this group.

c. NCAA Division I Communications and Coordination Committee report. The cabinet reviewed the August 27, 2008, report from the Division I Communications and Coordination Committee. The cabinet was informed by the chair that enhanced communication is intended to be one of the hallmarks of the new Division I governance structure. Also the committee will help coordinate consideration of issues and legislative concepts among the various Division I governance bodies.

d. Review of NCAA Division I Bylaws 12 legislation. The staff led an educational review of Bylaw 12 legislation and interpretations for the cabinet. The education session was primarily focused on the legislation pertaining to the definition of a professional team, competition with professionals and other activities that would cause an individual to lose amateur status and eligibility for Division I intercollegiate competition. In addition, the staff reviewed legislation and issues surrounding agents and advisors.

e. **Informational Session with Eligibility Center and Student-Athlete Reinstatement Staff.** The NCAA Eligibility Center staff provided an overview of the amateurism certification process (ACP) and reinstatement process for prospective student-athletes subject to penalty. The staff discussed the challenges that they encounter when certifying thousands of prospective student-athletes; specifically the difficulty of certifying international student-athletes. The ACP shared information relating to the most penalized sports, the bylaws most frequently violated and the most common Division I penalties resulting from such violations.

f. **Update on the Task Force on Commercial Activity in Intercollegiate Athletics.** Kevin Lennon, vice president for membership services, and Wally Renfro, vice president and senior advisor to President Myles Brand, provided the cabinet an update on the work of the Task Force. The cabinet reviewed a historic narrative entitled "Bringing Balance to Commercial Activity in Intercollegiate Athletics," which was originally prepared to assist the Task Force in its review of commercial activities associated with intercollegiate athletics with the rest of higher education. The narrative was reviewed with the cabinet as an educational tool to provide historical context to facilitate the cabinet's future discussions on issues relating to commercial activities. The cabinet asked the staff to prepare an educational review of current promotional activities legislation for its next in-person meeting.

g. **Fantasy League.** The cabinet received a report about the recent ruling by the 8th Circuit Federal Court of Appeals in the case of CSC Distrib. And Mkting. Inc. v. Major League Baseball Advanced Media L.P., in which the court applied Missouri state law to professional fantasy leagues, has lead fantasy sports games distributors to conclude that offering a college football fantasy game that includes names and game statistics of college student-athletes would be consistent with the ruling. The cabinet was informed of a July 2008 NCAA rule interpretation which states the use of a student-athlete's name in connection with a fantasy sports game even when there is not an entry fee or prize associated is a violation of NCAA bylaws. Additional information and guidance will be provided by the Task Force in the future.

Identification of Future Agenda Items.

a. Definition of Professional Team and Competition with Professionals. The cabinet discussed the definition of a professional team and how one may become ineligible based on benefits received by a teammate as well as issues related to competition with professionals. The cabinet was in agreement that changes to this legislation were warranted. Specifically, the cabinet believes that the current definition of a professional team is too broad and unfairly penalizes prospective student-athletes who never intended to professionalize themselves (e.g. never received more than actual and necessary expenses)

and for whom sports has been an avocation. The cabinet agreed to consider alternatives to this legislation.

b. The cabinet identified the issue of agents and advisors interaction with prospective student-athletes and student-athletes and the potential problems that can jeopardize one's eligibility. The staff disseminated new postenrollment agent and disability insurance educational materials that are available to the membership. The cabinet agreed to examine this issue at future meetings.

c. The cabinet participated in a discussion of amateurism certification challenges facing institutions and the Eligibility Center. The challenges impact institutional recruiting and certification efforts and the Eligibility Center's ability to process certifications in an efficient and timely manner. The cabinet discussed numerous concepts that might mitigate the challenges and agreed to discuss the concepts in greater detail during its February 2009 meeting.

Cabinet Chair: *Mike Rogers, Baylor University, Big 12 Conference*
Staff Liaison(s): *Rachel Newman Baker, Agent, Gambling and Amateurism Activities*
Angie Cretors, Agent, Gambling and Amateurism Activities
Geoff Silver, Membership Services

REPORT OF THE
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
DIVISION I CHAMPIONSHIPS/SPORTS MANAGEMENT CABINET

NCAA National Office
Indianapolis, Indiana
September 16-17, 2008

REPORT OF THE
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
DIVISION I CHAMPIONSHIPS/SPORTS MANAGEMENT CABINET

NCAA National Office
Indianapolis, Indiana

September 16-17, 2008

Participants:

David Blank, Elon University
Sherri Booker, Atlantic Sun Conference
Greg Burke, Northwestern State University
Joan Cronan, University of Tennessee, Knoxville
Dwight Datcher, Howard University
Susan Delaney-Scheetz, Pennsylvania State University
Connie Dillon, University of Oklahoma
Jim Fallis, Northern Arizona University
Jim Fiore, Stony Brook University
Tom Hickman, Winthrop University
Christine Hoyles, Pacific-10 Conference
Myndee Larsen, The Summit League
Patrick Lyons, Iona College
Erin McDermott, Princeton University
Jane Miller, University of Virginia
Marilyn Moniz-Kaho'ohanohano, University of Hawaii, Manoa
Bruce Rasmussen, Creighton University
Nance Reed, Towson University
Mack Rhoades, University of Akron
Judy Rose, University of North Carolina, Charlotte
Jeff Schemmel, San Diego State University
Jim Schmidt, University of Illinois, Chicago
Duer M. Sharp, Southwestern Athletic Conference
Rosemary A. Shea, College of Holy Cross
Paula Smith, University of California, Irvine
Jeffrey Stapleton, Monmouth University
Mike Thomas, University of Cincinnati
Keith Tribble, University of Central Florida
Bradley K. Walker, Ohio Valley Conference
Larry Williams, University of Portland
David Berst, NCAA
Wayne Burrow, NCAA
Joni Comstock, NCAA
Megan Coyne, NCAA Intern
Beth DeBauche, NCAA
Brad Hostetter, NCAA
Greg Johnson, NCAA
Carol Reep, NCAA
Dave Schnase, NCAA

Rick Villarreal, University of North Texas; and Danielle Neault, student-athlete representative from the University of the Pacific were not able to attend. No alternates attended in their places.

REPORT OF THE
NCAA DIVISION I CHAMPIONSHIPS/SPORTS MANAGEMENT CABINET

The NCAA Division I Championships/Sports Management Cabinet submits this report from its September 16-17, 2008, in-person meeting in Indianapolis, Indiana.

***ACTION ITEMS*.**

1. Legislative Items.

a. Definition of Men's Basketball Prospective Student-Athlete.

(1) Recommendation. The Championships/Sports Management Cabinet recommends that the NCAA Division I Legislative Council sponsor noncontroversial or emergency legislation to amend NCAA Bylaws 13.02.11 and 13.11.1.1 to specify that in the sport of men's basketball, for purposes of applying recruiting regulations, an individual becomes a prospective student-athlete when the individual begins classes for grade seven. (NCAA Division I Men's Basketball Issues Committee)

(2) Effective Date. Immediate.

(3) Rationale. Current legislation prohibits Division I basketball coaches or a noncoaching staff member with responsibilities specific to basketball from being employed at other institutional camps or clinics or at noninstitutional privately owned camps or clinics. The prohibition though applies only to those camps or clinics in which prospective age participants (grade nine and above) will be involved. Further, current legislation governing institutional sports camps or clinics that requires such camps or clinics to be open to any or all entrants does not apply to camps or clinics conducted only for nonprospective age participants. Noninstitutional camp operators have now begun to conduct camps or clinics for elite grades seven and eight and are employing Division I basketball coaches in such camps or clinics. Coaches feel some pressure to accept employment opportunities as many of the operators also have ties to nonscholastic teams that include prospective age participants. This only increases the nonscholastic influence in youth basketball, creates potential recruiting advantages for those coaches who are employed at these camps or clinics and encourages the practice of early verbal offers and commitments that in the long run can be detrimental to the well-being of both the youth and the collegiate institutions. In addition, there is some evidence Division I coaches also are conducting elite camps for grades seven and eight using this unfettered access to further their own recruiting interests, which runs counter to the altruistic motives

of protecting these youth from those who want to further their own self interest. This proposal to modify the definition of a prospective student-athlete will help address such concerns and further the creation of a healthier environment for the recruitment of men's basketball prospective student-athletes.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. None.

2. Nonlegislative Items.

- None.

BUDGET INFORMATIONAL ITEMS.

- **NCAA Championships Travel Strategic Review.**

The Championships/Sports Management Cabinet received a presentation from NCAA staff related to championships travel. It was noted that travel costs in Division I have increased 31 percent (approximately $7 million) from the last academic year and in the past three years, expenses have increased almost 58 percent (approximately $11.7 million). The NCAA is projecting for next year an increase of $6 to $7 million in Division I travel expenses. In addition to the increased costs, it is likely that airline capacity will decrease significantly which will impact the NCAA's ability to transport teams and individual student-athletes to their championship destinations in a timely and efficient manner.

In light of these challenges, the NCAA Executive Committee Finance Committee approved a review of travel-related issues and requested that the Championships/Sports Management Cabinet provide an initial report of any recommendations related to championships travel management for the October 30 NCAA Division I Board of Directors and the NCAA Executive Committee meetings.

During its meeting, the Championships/Sports Management Cabinet was presented with, reviewed and discussed three tiers of recommendations geared toward mitigating the travel challenges. The first tier of recommendations did not require Championships/Sports Management Cabinet approval and will be implemented immediately by the NCAA staff. Listed below are the initiatives included in the first tier.

a. Championships manager and sport committees will consider revising selection times or contest dates to allow a minimum of 48 hours between selection release and the time a team has to depart for a competition site and between rounds of a championship.

b. Championships manager and sport committees will consider the timing of scheduling teams for their initial practice sessions at the championships site to help make the most cost-effective travel arrangements.

c. Championships manager and sport committees will attempt to avoid obvious capacity conflicts in air travel (e.g., common spring break destinations mid-March through mid-April and high cost cities with minimal capacity).

d. NCAA travel policy will be amended to specify that the NCAA shall reimburse for incremental commercial airline baggage charges for a maximum of two bags per traveler, including bags containing sports equipment.

e. The travel policy will be amended to specify that when reasonable bulk shipping options for sports equipment are available, the NCAA shall reimburse the lesser of the bulk ship amount or the incremental cost by an airline or charter transporting the travel party (prior to implementing this policy, the NCAA will explore options for bulk shipping). This plan contemplates truck transport by institutional personnel or agent.

f. Sport committees will implement the use of travel management software (NCAA proprietary software currently developed) as a tool for committees to use in determining brackets and preliminary match-ups. The information gained by using the software will be one consideration and will not be the sole or the primary driver in the bracketing process.

g. NCAA staff will continue to work with commercial airlines and charter companies to enhance or expand current discounts.

The Championships/Sports Management Cabinet approved the single recommendation in the second tier for fall sports. This recommendation for all fall championships increases the travel policy mileage limitation threshold from 350 to 400 miles and increases the policy regarding ground commute from the nearest airport to the championships site from 120 to 150 miles and gives the NCAA travel staff the discretion to increase the mileage (minimally) if necessary and reasonable. The Championships/Sports Management Cabinet agreed that a sound business case exists for increasing the mileage limitation thresholds (excluding Division I basketball which is covered by a separate recommendation below), approved implementation for fall championships

due to their immanency, and agreed to consider implementing the change for winter and spring championships in the context of the tier-three review.

The Championships/Sports Management Cabinet received a summary of tier-three recommendations (set forth below) and agreed that additional discussion by the membership would be appropriate.

a. Increase the travel policy mileage-limitation threshold from 350 to 400 miles for all winter and spring sports (excluding Division I men's and women's basketball – see Item b below) and increase the policy regarding ground commute from the nearest airport to the championship site from 120 to 150 miles and provide the travel staff the discretion to increase the mileage (minimally) if necessary and reasonable.

b. Increase the travel policy mileage-limitation threshold from 300 to 350 miles for Division I men's and women's basketball and increase the policy regarding ground commute from the nearest airport to the championship site from 120 to 150 miles and provide the travel staff the discretion to increase the mileage (minimally) if necessary and reasonable.

c. Limit the number of seeded teams to 25 percent of the bracket and require all sports excluding Division I men's and women's basketball, regardless of a sport's ability to generate revenue, to adhere to the Championships/Sports Management Cabinet's seeding/pairing principles, which include a requirement that teams should be placed in brackets per Bylaw 31.1.3.2.5 (geographically).

d. Specify that in sports other than Division I men's and women's basketball, when establishing a bracket, sport committees can avoid conference match-ups only in the first contest. As a result, it would be permissible for teams from the same conference to play against each other in the second game of a regional.

e. Establish a policy that discourages or limits the frequency of (but does not prohibit) conducting championship sites in high-cost destinations, on conducting championships remote from areas of heavy concentration of likely participants and hosting championships in locales outside the continental United States.

f. Establish a policy in all sports, other than football, that would exclude championship travel or competition Wednesday through Sunday of Thanksgiving week. If competition on this weekend is necessary, the contest should be scheduled to avoid air travel or require air travel Thursday, Saturday or Sunday. Wednesday air transportation would not be permitted.

g. Impose a moratorium on any new bracket through the 2012-13 championship cycle.

It was agreed that Championships/Sports Management Cabinet members would solicit feedback from their institutions and conferences and provide the feedback to NCAA staff not later than November 3, 2008. In addition, NCAA staff was charged with soliciting impact statements related to each of the recommendations from sport committees and coaches associations. Finally, it was agreed that all feedback would be reviewed by the Championships/Sports Management Cabinet (or its NCAA Division I Championships/Sports Management Cabinet Administrative Committee) on a conference call in mid to late November 2008.

INFORMATIONAL ITEMS.

1. Legislative Informational Items.

a. NCAA Proposal No. 2008-30 Recruiting – Sports Camps and Clinics – Employment at Camp or Clinic – High School, Preparatory-School Two-Year College Coaches or other Individuals Involved with Prospective Student-Athletes – Employment as Speaker – Men's Basketball.

The Championships/Sports Management Cabinet agreed to modify the effective date of Proposal No. 2008-30 from August 1 to immediate, which would specify that it is not permissible to employ any speaker at a Division I institution men's basketball camp who is involved in coaching prospective student-athletes or associated with prospective student-athletes as result of the prospective student-athletes participation in basketball; further, the Championships/Sports Management Cabinet agreed that the proposal would be modified to include women's basketball. (Men's Issues Committee and the NCAA Division I Women's Basketball Issues Committee)

The Championships/Sports Management Cabinet noted institutional camps/clinics are conducted during the months of June, July or August and an immediate effective date will ensure that the legislation is applied consistently throughout the entire summer. In addition, the issues identified in this proposal exist in women's basketball as well as men's. Therefore, the Championships/Sports Management Cabinet recommends that women's basketball be included in this proposal. In supporting the proposal, the Championships/Sports Management Cabinet noted that at some point, consideration should be given to whether the proposal should be expanded to include all camp employees in an effort to further address the problem this proposal seeks to address. Further, it was noted that the Women's Basketball Issues Committee supports the inclusion of women's basketball.

b. Institutional Camps and Clinics.

The Championships/Sports Management Cabinet agreed to sponsor legislation to be considered in the 2009-10 legislative cycle to amend Bylaw 13.12.1.1.3 to specify that institutional camps and clinics shall be conducted either on the institution's campus or within a 100-mile radius of the institution's campus. (Men's Basketball Issues Committee)

The trend of hosting institutional camps or clinics in different regions of the country is an unwanted development in the men's basketball recruiting culture. Camps or clinics should not be hosted for recruiting purposes. Remote camps or clinics come at a great expense to institutional and personal resources. This proposal limits the location of institutional camps and clinics to campus or a reasonable distance from campus.

c. Proposal No. 2008-49 Playing And Practice Seasons – Men's Basketball – First Contest – Exceptions – Informal Practice Scrimmages – No Missed Class Time.

The Championships/Sports Management Cabinet agreed to modify Proposal No. 2008-49, which the former NCAA Division I Championships/Competition Cabinet sponsored, to also include women's basketball. (Women's Basketball Issues Committee)

Proposal No. 2008-49, as currently presented, specifies that in men's basketball, no class time shall be missed in conjunction with an informal practice scrimmage, including activities associated with such scrimmages (e.g., travel, pregame and postgame activities). While it appears the issue of missed class time associated with informal practice scrimmages is more prevalent in men's basketball than in women's basketball, there have been some reported instances involving institutions that have traveled significant distances to participate in scrimmages against other Division I institutions and as a result, missed class. The original legislation was adopted with the intent that scrimmages would occur in close proximity to the institution and, therefore, the Championships/Sports Management Cabinet believes women's basketball would benefit from being included in this legislation.

d. Proposal No. 2008-69 Administrative Regulations – Summer Basketball Leagues and Certified Basketball Events – Additional Criteria – Approval of Event and League Operators – Men's Basketball.

The Championships/Sports Management Cabinet agreed to modify Proposal No. 2008-69, which the former Championships/Competition Cabinet sponsored, to also include women's basketball for all certified events during the academic year and the summer. (Women's Basketball Issues Committee)

Proposal No. 2008-69, currently specifies that in men's basketball, that in order for a summer basketball league or a basketball event to be certified, the event or league operator or manager must be approved in accordance with guidelines established by the NCAA basketball certification staff. Recently, there have been situations involving event operators who have engaged in questionable activities, yet these operators were still able to operate a certified event. If background checks had been required of the event operators, these type of questionable activities potentially could have been avoided. The concerns this proposal seeks to address are the same regardless whether it is men's or women's basketball. Therefore, for the well-being of the game and the participants at the certified events, the Championships/Sports Management Cabinet recommends expanding this proposal to include women's basketball. Additionally, the Championships/Sports Management Cabinet supports the Legislative Council's consideration of this proposal as noncontroversial legislation, but as broader consultation and debate are unlikely to improve the proposal in any substantial way, significant disagreement or alternative points of view will not be generated and, therefore, does not appear to be a significant impact on existing legislation or proposed legislation.

e. Comments on Proposals Currently in the 2008-09 Legislative Cycle. The Championships/Sports Management Cabinet reviewed proposals assigned to it for review that will be considered by the Division I membership as part of the 2008-09 legislative cycle and offered the comments below. Proposals previously sponsored by the Championships/Sports Management Cabinet were provided for informational purposes.

(1) Proposal No. 2008-9 – NCAA Membership and Championships and Postseason Football – Conditions and Obligations of Membership – Operating and Capital Financial Data Report. To specify that an institution shall submit financial data detailing operating revenues, expenses and capital related to its intercollegiate athletics program to the NCAA on an annual basis, as specified, as a condition and obligation of membership and in order to be eligible to enter a team or individual in NCAA championship competition.

Championships/Sports Management Cabinet Comment: The Championships/Sports Management Cabinet supported the proposal as drafted.

(2) Proposal No. 2008-39 – Eligibility – Outside Competition, Effects on Eligibility – Exception – Conference All-Star Competition against U.S. National Team – Women's Ice Hockey. In women's ice hockey, to specify that a student-athlete may compete during the academic year as a member of a conference all-star team in up to two contests against the U.S. Women's National Ice Hockey Team in the 12 months prior to the Winter Olympic Games.

Championships/Sports Management Cabinet Comment: The Championships/Sports Management Cabinet opposed the proposal as drafted noting that it would support the proposal if modified to specify that the student-athlete must be academically eligible for intercollegiate competition at the time of the competition. If the sponsors do not support the suggested modification, the Championships/Sports Management Cabinet would support an alternative proposal that would be sponsored by the NCAA Division I Academic Cabinet that would include the suggested modification.

(3) Proposal No. 2008-44 – Awards, Benefits and Expenses – Expenses Provided by the Institution for Practice and Competition – Departure/Return Expense Restrictions – Exceptions – Travel Following Championships Events and Postseason Football Games. To specify that travel following contests in NCAA championship events, national governing body championships in emerging sports or licensed postseason football games that take place during the institution's official vacation period during the academic year or between regular academic terms are exempt from the requirement that a student-athlete remain no longer than 36 hours following the conclusion of the competition in order to receive actual and necessary expenses to return to campus.

Championships/Sports Management Cabinet Comment: The Championships/Sports Management Cabinet agreed to request that the sponsors clarify whether the impact of the proposal is that the institution can only provide expenses related to the student-athlete's transportation back to campus. The Championships/Sports Management Cabinet agreed that it would support the proposal if that limitation was in place.

(4) Proposal No. 2008-45 – Playing and Practice Seasons – General Regulations – Skill Instruction – Sports other than Football – Concurrent Sessions. In sports other than football, to specify that prior to September 15 and after April 15, no more than four student-athletes from the same team may be involved in skill-related instruction with their coaches at any one time in any one facility.

Championships/Sports Management Cabinet Comment: The Championships/Sports Management Cabinet opposed the proposal noting potential challenges related to the availability of facilities.

(5) Proposal No. 2008-46 – Playing and Practice Seasons – Baseball – Preseason Practice and First Contest – Championship Segment. In baseball, to specify that in the championship segment, an institution shall not commence practice sessions prior to the Friday that is three weeks prior to the first permissible contest date for the championship segment and shall not play its first contest (game or scrimmage) with outside competition prior to the Friday in February that is 14 weeks before the Friday immediately preceding Memorial Day.

Championships/Sports Management Cabinet Comment: The Championships/Sports Management Cabinet opposed the proposal as written in favor of Proposal No. 2008-48.

(6) Proposal No. 2008-47 – Playing and Practice Seasons – Baseball – Maximum Number of Contests – 52 During the Championship Segment and Four During the Nonchampionship Segment. In baseball, to specify that an institution shall limit its total playing schedule with outside competition during the institution's playing season to 52 contests (games and scrimmages) during the championship segment and four contests (games and scrimmages) during the nonchampionship segment.

Championships/Sports Management Cabinet Comment: The Championships/Sports Management Cabinet opposed the proposal as written in favor of Proposal No. 2008-48.

(7) Proposal No. 2008-48 – Playing and Practice Seasons – Baseball – Maximum Number of Contests – 52 during the Championship Segment. In baseball, to reduce the maximum number of contests from 56 to 52.

Championships/Sports Management Cabinet Comment: The Championships/Sports Management Cabinet supported the proposal as written noting that of the three proposals (Proposal Nos. 2008-46, 2008-47 and 2008-48), Proposal No. 2008-48 reduces the challenges related to the compression of baseball schedules and likely would result in less missed class time and time away from campus, which ultimately could improve academic performance. The Championships/Sports Management Cabinet considered combining Proposal Nos. 2008-46 and 2008-48 but did not believe Proposal No. 2008-46 would be consistent with the recent changes designed to enhance competitive equity between northern and sun belt institutions.

(8) Proposal No. 2008-49 – Playing and Practice Seasons – Men's Basketball – First Contest – Exceptions – Informal Practice Scrimmages – No Missed Class Time. In men's basketball, to specify that no class time shall be missed in conjunction with an informal practice scrimmage, including activities associated with such scrimmages (e.g., travel, pregame and postgame activities).

Championships/Sports Management Cabinet Comment: Sponsored by the Championships/Sports Management Cabinet.

(9) Proposal No. 2008-50 – Playing and Practice Seasons – Women's Basketball – First Contest Exceptions and Annual Exemptions – Foreign Team In U.S. and USA Basketball Club. In women's basketball, to eliminate the exception to the first contest date and the annual exemptions for exhibition contests against club members of USA Basketball and foreign teams in the United States.

Championships/Sports Management Cabinet Comment: The cabinet supported the proposal as drafted.

(10) Proposal No. 2008-51 – Playing and Practice Seasons – Preseason Practice – Cross Country, Field Hockey, Women's Rugby, Soccer, Women's Volleyball and Men's Water Polo. In cross country, field hockey, women's rugby, soccer and men's water polo, to specify that an institution shall not commence practice sessions before 16 days prior to

the date on which the first permissible contest or date of competition may occur; further, in women's volleyball, to specify that an institution shall not commence practice sessions before 20 days prior to the date on which the first permissible contest may occur.

Championships/Sports Management Cabinet Comment: The Championships/Sports Management Cabinet opposed the proposal as drafted noting that the proposal may lead to increased costs for the relevant sports.

(11) Proposal No. 2008-52 – Playing and Practice Seasons – Football – Preseason Practice – Limit on Number of Participants – Replacement of Student-Athlete due to Injury or Illness. In Football, to specify that a student-athlete who sustains an injury or illness that prevents further participation in preseason practice activities may be replaced with another student-athlete without including that individual in the institution's limitation on the number of individuals who may participate in preseason practice.

Championships/Sports Management Cabinet Comment: The Championships/Sports Management Cabinet opposed the proposal as drafted.

(12) Proposal No. 2008-53 – Playing and Practice Seasons – Golf – Maximum Contest Limitations – Determination of Date of Competition. In golf, to eliminate the provision by which an institution is considered to have used a date of competition if one or more student-athletes participate on behalf of the institution on a particular date.

Championships/Sports Management Cabinet Comment: The Championships/Sports Management Cabinet opposed the proposal as drafted. The Championships/Sports Management Cabinet discussed supporting the proposal if the minimum number of student-athletes would be reduced from five to three.

(13) Proposal No. 2008-54 – Playing and Practice Seasons – Golf – Annual Exemptions – Hawaii or Alaska. In golf, to specify that any dates of competition in Hawaii or Alaska either against or under the sponsorship of an active Division I member located in Hawaii or Alaska, by a member located outside the area in question are exempt from the maximum number of dates of competition.

Championships/Sports Management Cabinet Comment: The Championships/Sports Management Cabinet supported the proposal as drafted.

(14) Proposal No. 2008-55 – Playing and Practice Seasons – Women's Soccer – First Contest or Date of Competition – 12-Week Season. In women's soccer, to specify that an institution shall not play its first contest or engage in its first date of competition (game) with outside competition prior to the 12th weekend prior to the start of the women's soccer championship.

Championships/Sports Management Cabinet Comment: The Championships/Sports Management Cabinet supported the proposal as drafted.

(15) Proposal No. 2008-56 – Playing and Practice Seasons – Tennis – Maximum Number of Dates of Competition – Individual Singles or Doubles Tournament Limitations – Number of Participants. To increase from three to four the number of student-athletes who may participate in an individual singles or doubles tournament without counting the event as one of the institution's dates of competition.

Championships/Sports Management Cabinet Comment: Sponsored by the Championships/Sports Management Cabinet.

(16) Proposal No. 2008-57 – Playing and Practice Seasons – Track and Field – Safety Exception – Hurdles and Steeplechase. To specify that a coach may be present during voluntary individual workouts in the institution's regular practice facility (without the workouts being considered as countable athletically related activities) when the student-athlete is engaged in jumping hurdles or the jumping element of the steeplechase.

Championships/Sports Management Cabinet Comment: The Championships/Sports Management Cabinet took no position on the proposal.

(17) Proposal No. 2008-58 – Championships and Postseason Football – Criteria for Establishment or Continuation of Championships – Minimum Sponsorship for Championships – Women's Sports. To specify that a National Collegiate Championship or a division championship may be established in a women's sport if at least 40 institutions sponsor the sport.

Championships/Sports Management Cabinet Comment: The Championships/Sports Management Cabinet took no position on the proposal.

(18) Proposal No. 2008-59 – Division Membership – Definitions and Applications – Emerging Sports for Women – Archery, Badminton, Synchronized Swimming, Team Handball and Sand Volleyball. To add sand volleyball as an emerging sport for women; further, to remove archery, badminton, synchronized swimming and team handball as emerging sports for women and to eliminate other specified legislation associated with these sports (e.g., playing and practice season regulations, sports sponsorship minimum contest and participant requirements).

Championships/Sports Management Cabinet Comment: The Championships/Sports Management Cabinet opposed the proposal expressing concern about the uncertainty surrounding proposed regulations for playing and practice seasons and financial aid. The Championships/Sports Management Cabinet would be interested in further discussion when additional detail regarding sand volleyball is developed.

(19) Proposal No. 2008-61 – Committees – Division I Cabinets and Committees – NCAA Division I Women's Soccer Committee – Composition – Regions. To specify that the composition of the NCAA Division I Women's Soccer Committee shall include one member from each of the eight Division I women's soccer regions and two members selected at large.

Championships/Sports Management Cabinet Comment: Sponsored by the Championships/Sports Management Cabinet.

(20) Proposal No. 2008-64 – Division Membership – Membership Requirements – Football Bowl Subdivision Requirements – Waivers. To specify that the members of the NCAA Division I Administration Cabinet representing NCAA Division I Football Bowl Subdivision (FBS) conferences, by a two-thirds majority of those members present and voting, may grant waivers of the FBS membership requirements.

Championships/Sports Management Cabinet Comment: The Championships/Sports Management Cabinet took no position on the proposal.

(21) Proposal No. 2008-65 – Administrative Regulations – Foreign Tours and Competition – Timing of Tour – Prohibition During Academic Year Labor Day Vacation Period. To specify that an institution shall not participate in a foreign tour that occurs in conjunction with a Labor Day academic year vacation period.

Championships/Sports Management Cabinet Comment: The Championships/Sports Management Cabinet supported the proposal as drafted.

(22) Proposal No. 2008-70 – Executive Regulations – Selection of Teams and Individuals for Championships Participation – Automatic Qualification – Additional Requirements, Sports other than Men's Basketball – Multisport Conference – Definition of Core Institution. In sports other than men's basketball, to specify that for the purposes of multisport conference eligibility for automatic qualification in a particular sport, a core institution is an institution that has been an active member of Division I during the eight preceding years or an institution that has sponsored the sport at the Division I level the eight preceding years.

Championships/Sports Management Cabinet Comment: The Championships/Sports Management Cabinet took no position on the proposal.

(23) Proposal No. 2008-71 – Executive Regulations – Selection of Teams and Individuals for Championships Participation – Automatic Qualification – Additional Requirements, Sports other than Men's Basketball – Multisport Conference – Exception – Member that has Sponsored the Sport at the Division I Level the Eight Preceding Years. In sports other than men's basketball, to specify that a multisport conference that falls below six core members may be considered for automatic qualification in that sport, provided the conference adds an institution to its membership (for a total of at least six members) that has sponsored the sport for the preceding eight years at the Division I level and at least six institutions (including the added institution) have conducted conference competition together at the Division I level in the sport the preceding two years.

Championships/Sports Management Cabinet Comment: The Championships/Sports Management Cabinet supported the proposal as drafted.

(24) Proposal No. 2008-72 – Executive Regulations – Selection of Teams and Individuals for Championships Participation – Automatic Qualification – Additional Requirements, Sports other than Men's Basketball – Multisport Conference – Exception – Sports Sponsorship. In sports other than men's basketball, to specify that a multisport conference that adds a conference-sponsored sport may be considered for automatic qualification in that sport, provided at least six institutions have conducted conference competition together at the Division I level for the preceding two years and the sport is sponsored by less than 65 percent of the Division I membership.

Championships/Sports Management Cabinet Comment: The Championships/Sports Management Cabinet took no position on the proposal.

(25) Proposal No. 2008-73 – Executive Regulations – National Statistics Program. To specify that the Championships/Sports Management Cabinet shall oversee the national statistics program and approve its policies and procedures; further, to specify that the policies and procedures shall be published on the NCAA Web site.

Championships/Sports Management Cabinet Comment: Sponsored by the Championships/Sports Management Cabinet.

(26) Proposal No. 2008-74 – Playing and Practice Seasons – Baseball – First Contest – Championship Segment – Alumni Contest. In baseball, to permit a single alumni contest to be conducted the weekend prior to the first permissible contest date of the championship segment.

Championships/Sports Management Cabinet Comment: The Championships/Sports Management Cabinet took no position on the proposal.

2. Nonlegislative Informational Items.

a. Championships/Sports Management Cabinet Member Orientation. Championships/Sports Management Cabinet members participated in an orientation program during which the Championships/Sports Management Cabinet received a summary of the new governance structure, reviewed its responsibilities in the new structure, reviewed the legislative process, heard presentations from the previous chairs of the former Championships/Competition

Cabinet subcommittees and received presentations from the NCAA statistics staff and staff liaisons to the following committees: NCAA Competitive Safeguards and Medical Aspects of Sports, NCAA Olympic Sports Liaison and the NCAA Playing Rules Oversight Panel.

b. **Approval of Report from June 24-25, 2008, Championships/Competition Cabinet Meeting.** The report from the former Championships/Competition Cabinet's June 24-25, 2008, in-person meeting was approved as previously distributed.

c. **Reports from most recent Board, NCAA Division I Leadership Council and Legislative Council meetings.** The Championships/Sports Management Cabinet received informational reports from the NCAA staff regarding a variety of topics and learned that the Board has identified four primary issues as being appropriate for Leadership Council examination over the course of the next year, and that the Leadership Council, with the help of the Championships/Sports Management Cabinets, will be asked to develop suggested recommendations. The four assignments given to the Leadership Council are:

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

(2) To assess the impact of this membership migration and develop reasonable philosophical expectations and legislative requirements that should be adhered to by all institutions desiring to transition to or remain in Division I.

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

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

d. **Report of the Administrative Committee**. The Administrative Committee considered an institution's appeal of a misconduct penalty as imposed by the NCAA Division I Men's Baseball Committee. After hearing testimony from the institution and the baseball committee, the Administrative Committee upheld the penalty of a public reprimand.

e. **NCAA President's Report.** President Brand discussed a number of topics important to the membership in general and the Championships/Sports Management Cabinet in particular including the NCAA's strategic plan, three to five year controlling goals, financial pressures and trends in college athletics, challenges related to championships travel and the status of the NCAA's media rights agreements.

f. **Championships/Sports Management Cabinet Policies and Procedures.** The Championships/Sports Management Cabinet discussed the value of using a set of policies and procedures and reviewed a draft document containing many of the policies and procedures used by the former Championships/Competition Cabinet. The Championships/Sports Management Cabinet agreed to use the draft document as its policies and procedures and continue to review and modify the policies and procedures as appropriate.

g. **Reports of Sports and Sport Issues Committees.**

(1) Men's Baseball. The Championships/Sports Management Cabinet received an informational report from the Baseball Committee noting that the television ratings for the 2008 Men's College World Series (MCWS) were the highest ever and overall attendance reached an all-time high; although, the per game average was slightly down. In addition, it was reported that work continues on the design of a new stadium for the MCWS scheduled to open in Omaha, Nebraska in 2011.

(2) NCAA Women's Bowling Committee.

(a) Selection Procedure. The Championships/Sports Management Cabinet approved a recommendation that the Women's Bowling Committee be permitted to consider lane maintenance violations per Rule 1.1.3.3 of the NCAA Women's Bowling Rules when evaluating regular-season match results in the selections process.

(b) Selection Criteria. The Championships/Sports Management Cabinet approved a recommendation that the Quality of Wins Index (QWI) used in the selections process be adjusted as follows:

Win versus a team at or above .750 – 16 points
Win versus a team at or above .500, but below .750 – 12 points
Win versus a team at or above .333, but below .500 – 8 points
Win versus a team below .333 – **6 points (change from 4 points)**

Loss versus a team at or above .750 – **8 points (change from 10 points)**
Loss versus a team at or above .500, but below .750 – 6 points
Loss versus a team at or above .333, but below .500 – 2 points
Loss versus a team below .333 – 0 points

(3) NCAA Men's and Women's Fencing Committee.

(a) Awards. The Championships/Sports Management Cabinet approved a recommendation that the third place bout be eliminated from championship competition and the third and fourth place awards be eliminated and replaced with two semifinalist awards. A total of four awards will continue to be awarded (i.e., one for first, one for second and a semifinalist award for third and fourth).

(b) Selection Formula. The Championships/Sports Management Cabinet approved a recommendation that the Individual Strength Factor be adjusted to take into account the best 50 percent of all victories up to 32. If the number of victories exceeds 32, only the 16 best victories will be taken into account.

(4) NCAA Division I Men's Golf.

(a) Regional Selections. The Championships/Sports Management Cabinet did not approve a recommendation from the Men's Golf Committee that a host institution must be ranked in the top 30 or outside the top 100 in order to stay at home and play in the regional they are hosting. It was noted that the coaches did not support the recommendation and the recommendation may have the unintended consequence of discouraging hosts to bid.

(b) Date Formula. The Championships/Sports Management Cabinet approved a recommendation that the date formula for the Men's Golf Championship be adjusted to start the championship on the Monday of Memorial Day and finish on the following Sunday, effective with the 2010 championships.

(5) NCAA Division I Women's Golf Committee. The Championships/Sports Management Cabinet approved a recommendation that the Big West Conference be granted an exception to the six "core member" requirement to receive automatic qualification for its 2009 conference champion.

(6) NCAA Men's Gymnastics Committee. The Championships/Sports Management Cabinet approved a recommendation that the seeding to determine team starting positions for the championship (Friday session), be based on the scores from the National Qualifier session (Thursday) as opposed to using teams' national qualifying average from the regular season.

(7) NCAA Women's Gymnastics Committee. The Championships/Sports Management Cabinet approved a recommendation that the six predetermined regional sites be selected irrespective of region, effective with the 2011 women's gymnastics regionals.

(8) Division I Men's Ice Hockey. The Championships/Sports Management Cabinet approved a recommendation that to be considered during the at-large selection process, a team must have an overall won-lost record of .500 or above.

(9) NCAA Division I Men's Lacrosse Committee.

(a) Minimum Guarantee. The Championships/Sports Management Cabinet approved a recommendation that to host the Division I Men's Lacrosse first round and quarterfinals competition host institutions must provide a minimum guarantee of $2,500 and $15,000 respectively. The first round would be conducted on the campuses of participating institutions and would not be predetermined. The quarterfinals are predetermined sites.

(b) Selection criteria. The Championships/Sports Management Cabinet approved a recommendation that the at-large selection criteria be revised, effective 2009. [Attachment A]

(10) NCAA Division I Women's Lacrosse Committee.

(a) Automatic Qualification and Play-In Games. See the information in the section below related to automatic qualification on Page No. 30.

(b) Selection Criteria - Primary. The Championships/Sports Management Cabinet approved a recommendation that the current primary criterion "wins against common opponents" be changed to "winning percentage versus common opponents."

(c) Selection Criteria - Secondary. The Championships/Sports Management Cabinet approved a recommendation that the late-season performance criterion be defined as the last six games on an institution's schedule. Evaluation will include strength of schedule and winning percentage.

(d) Selection Date Formula. The Championships/Sports Management Cabinet approved a recommendation that the selection date be changed from Monday to Sunday prior to first-round competition.

(e) Video Exchange Policy. The Championships/Sports Management Cabinet approved a recommendation that a video exchange policy be implemented that requires institutions to provide video of their most recent game to opponents for all rounds of the championship.

(11) NCAA Division I Women's Rowing Committee. The Championships/Sports Management Cabinet reviewed the request of the Women's Rowing Committee to provide feedback regarding the addition of the automatic qualification process for the sport of rowing. It was noted that starting in 2009, women's rowing will move from an individual/team championship to classification as a team championship. The history of team championships indicates that the automatic qualification process is a natural progression for team sports. Although the Championships/Sports Management Cabinet understands the Women's Rowing Committee's desire to explore implementation of the automatic qualification process for rowing, the Championships/Sports Management Cabinet recommended that it would be best for the Championships/Sports Management Cabinet to delay these discussions until there were more conferences eligible for automatic qualification. In light of this recommendation, the Championships/Sports Management Cabinet did not discuss the various models of granting access to eligible conferences.

(12) NCAA Men's and Women's Skiing Committee.

(a) Selection Criteria – East Region. The Championships/Sports Management Cabinet approved a recommendation that the following replace current qualifying criteria for East Region Nordic student-athletes:

"NCAA Nordic selections will be made by scoring the total of the best two results from classical races and the best two results from

freestyle races using the NCAA Qualification Ranking lists. If there is a tie in points after combining the possible four results then the best race will be used to break the tie; this will continue until the tie is broken. Ties between non-Eastern Intercollegiate Ski Association (EISA) and EISA skiers in the events lists will go to the non-EISA skier. An automatic slot will be awarded to any skier named to the World Junior Team that achieves a top-30 finish in a nonsprint race."

(b) Selection Criteria – West Region. The Championships/Sports Management Cabinet approved a recommendation that the following be included for West Region Alpine qualifying criteria:

"The official point's base is 50 for all races regardless of the actual number entered or finished. The race winner receives 50 points and each racer that follows receives one less point down to 50th place; and in case of ties for place, both skiers earn the points for that place."

(c) Championship Scoring – Weighted Results. The Championships/Sports Management Cabinet approved a recommendation that a weighted scoring system be adopted for use at the championships. The system will have a 50-point base regardless of the number of starters.

(13) NCAA Division I Men's and Women's Swimming and Diving Committee. It was reported that the moratorium concerning the use of new swimsuit technology was lifted, effective immediately.

(14) NCAA Division I Men's and Women's Tennis Committee.

(a) America East Conference Waiver. The Championships/Sports Management Cabinet approved a recommendation that the America East Conference be granted a waiver per Bylaw 31.3.4.6-(c) for an exception to the six "core member" automatic qualification requirement for the 2009 Division I Men's Tennis Championships.

(b) Big West Conference Waiver. The Championships/Sports Management Cabinet approved a recommendation that the Big West Conference be granted a waiver per Bylaw 31.3.4.6-(c) for an

exception to the six "core member" automatic qualification requirement for the 2009 Division I Men's Tennis Championships.

(c) Selection Criteria. The Championships/Sports Management Cabinet approved a recommendation that the primary criteria for including "wins versus teams (or individuals) already selected at time of consideration" be modified as follows effective with the 2009 championships: (1) Wins versus the top 50 teams in the Intercollegiate Tennis Association (ITA) rankings; (2) Wins versus the top 60 singles players in the ITA rankings for eligible/entered singles players; and (3) Wins versus the top 30 doubles teams in the ITA rankings for entered/ eligible doubles teams.

(d) Selection Procedure. The Championships/Sports Management Cabinet approved a recommendation that a student-athlete who is ranked in the ITA Top 60 for entered/eligible doubles teams with two different partners would have the ability to be selected in the doubles draw with the other partner as an alternate, effective with the 2009 championships.

(15) NCAA Division I Men's and Women's Track and Field Committee. The Championships/Sports Management Cabinet discussed a recommendation from the Men's and Women's Track and Field Committee that the current regional qualifying system be replaced with either a two- or three-site regional qualifying format first round of the national championships, effective with the 2010 championships. After thoroughly reviewing the elements and rationale of each proposal along with feedback from the Men's and Women's Track and Field Committee and the US Track and Field and Cross Country Coaches Association (USTFCCCA), the Championships/Sports Management Cabinet approved the two-site, three- day format. The Championships/Sports Management Cabinet commended the Men's and Women's Track and Field Committee, the former NCAA Division I Championships/Competition Cabinet's Bracket/Format Subcommittee, the study group comprised of members of the NCAA Division I Men's and the Division I Women's Track and Field Subcommittee and the USTFCCCA for working diligently to address concerns regarding the current regional format expressed by the Championships/Sports Management Cabinet and those in the track and field community. The primary concerns regarding the lack of competitive equity in the current regional system has been exacerbated by the inequity in the number of participants in each of the four regions and the Championships/Sports Management Cabinet believes the models

proposed by the Men's and Women's Track and Field Committee addressed those concerns. The Championships/Sports Management Cabinet recognized the challenge related to the size of the meet and potentially greater travel in the two-site model but placed a higher premium on competitive equity in approving the two-site model.

[Note: A motion to charge the Men's and Women's Track and Field Committee with analyzing the competitive and cost issues of the two-site model compared to a model without regionals was defeated.]

The qualifiers for the two-site format will include the top 48 declared student-athletes in each individual event at each site (East and West) as determined by a national descending order list of season-best performances. The event exception is the combined events (heptathlon and decathlon) which will be contested at the final site only. [Attachment B]

In addition, the top 24 declared relays in each relay event as determined by a national descending order list of season-best performances qualify per site for the first round of the championships.

Qualifiers to the national championships final site include 12 student-athletes in each individual event and eight teams in each relay event from each first round site. Twenty-four student-athletes in the combined events qualify to the final site of the national championships based on a national descending order list of season-best performances. Additional relays and combined events competitors may be added based on the NCAA cap on total competitors. The combined events will not be contested in the first round due to the physical demands of the competition, this is the practice in the current regional qualifying system.

(16) NCAA Men's Volleyball Committee. The Championships/Sports Management Cabinet did not approve a recommendation to allow the Volleyball Committee to require that teams play a minimum of two out of region matches (not being the same opponent) to be considered for an at-large selection to the men's volleyball championship. The Championships/Sports Management Cabinet did support the Volleyball Committee using “scheduling” as a consideration in the selection process.

(17) NCAA Women's Water Polo Committee. The Championships/Sports Management Cabinet approved a recommendation that effective with the

2009 championship, the selection criteria be modified to include both primary and secondary criteria. Automatic qualification will be provided to five eligible conferences and the remaining at-large teams will be selected to the championship by the following criteria (not necessarily in preferential order):

(a) Primary criteria: (1) Won-lost record; (2) Strength-of-schedule; (3) Head-to-head competition; and (4) Results versus teams under consideration.

(b) Secondary criteria: (1) Results versus common opponents; (2) Late season performance – defined as the last 10 games including conference tournaments (strength and results); (3) Rating Percentage Index (Factor One – 25 percent, Team's own winning percentage; Factor Two – 50 percent, Opponents' average winning percentage; and Factor Three – 25 percent, Opponents' opponents' average winning percentage); and (4) Eligibility and availability of student-athletes.

(18) Division I Wrestling. The Championships/Sports Management Cabinet approved a recommendation that the Big 12 Conference be approved per Bylaw 31.3.4.6-(c) to be granted an exception to the six-team requirement to receive automatic qualification for their conference champions in each weight class to automatically qualify for the 2009 NCAA Division I Wrestling Championships.

h. Administrative Policies that have the Potential of Negatively Impacting a Student-athlete's Championship Eligibility. The Championships/Sports Management Cabinet reviewed a summary of sports committee policies that have the potential of negatively impacting a student-athlete's championships eligibility. The former NCAA Division I Championships/Competition Cabinet's Administrative Committee dealt with several cases in which a sports committee ruled a student-athlete ineligible for a championship because of the negligence of a student-athlete's institution (e.g., failure to submit an appropriate entry form in a timely manner). The former Administrative Committee allowed the student-athlete to participate but expressed concern about how to best hold institutions accountable for their negligence and suggested that the new Championships/Sport Management Cabinet consider the issue. It was agreed that the NCAA staff will develop models that would treat individual sports consistently, hold student-athletes as harmless as possible and hold institutions accountable for their actions. The cabinet's Administrative Committee will review the models during its February 2009 championship.

i. **Automatic qualification waivers.** The Championships/Sports Management Cabinet expressed concern over the apparent proliferation of waiver requests related to conference automatic qualification. The Championships/Sports Management Cabinet agreed to request that the Administration Cabinet provide the Championships/Sports Management Cabinet with feedback on its position related to waivers of Bylaws 31.3.4.4 and 31.3.4.6. In addition, the Championships/Sports Management Cabinet requested that sport committees review their positions on waivers of the aforementioned bylaws that historically have been approved on an annual basis or that are likely to be submitted in the future and provide the Championships/Sports Management Cabinet with feedback at its February 2009 meeting.

j. **Committee Chair Appointments.** The Championships/Sports Management Cabinet took the following action related to committees:

(1) Men's Baseball Committee. The Men's Baseball Committee voted to appoint Tim Weiser, Deputy Commissioner from the Big 12 Conference, as the Men's Baseball Committee chair effective immediately.

(2) Men's and Women's Fencing Committee. The Men's and Women's Fencing Committee voted to appoint Zoltan Dudas, head fencing coach at Princeton University, as the Men's and Women's Fencing Committee chair effective September 1, 2008.

(3) Men's Golf Committee. The Men's Golf Committee voted Darin Spease, senior associate athletics director at the University of North Carolina, Charlotte, as the Men's Golf Committee chair effective September 1, 2008.

(4) Women's Gymnastics Committee. The Women's Gymnastics Committee voted Paul Plinske, director of athletics at the University of Wisconsin, Whitewater, as Women's Gymnastics Committee chair effective September 2008.

(5) Women's Lacrosse Committee. The Women's Lacrosse Committee voted Ryan Bamford, associate director of athletics at Yale University, as Women's Lacrosse Committee chair for the 2008-09 academic year.

(6) Men's and Women's Swimming and Diving Committee. The Men's and Women's Swimming and Diving Committee voted Tracy Huth, athletics director at Oakland University, as Men's and Women's Swimming and Diving Committee chair effective September 1, 2008.

(7) Men's and Women's Tennis Committee. The Men's and Women's Tennis Committee voted Sybil Blalock, associate director of athletics at Mercer University, as Men's and Women's Tennis Committee chair effective September 1, 2008.

(8) Men's Volleyball Committee. The Men's Volleyball Committee voted Brian Summers, assistant director of athletics at Lewis University, to replace Ron Shayka as the Men's Volleyball Committee chair effective September 1, 2008.

(9) Women's Water Polo Committee. The Women's Water Polo Committees voted Brian Streeter, director of athletics at Pennsylvania State University Erie, the Behrend College, as the Women's Water Polo Committee chair effective September 1, 2008.

k. Automatic Qualification. The Championships/Sports Management Cabinet awarded automatic qualification as follows:

(1) Baseball Committee. That the following 30 conferences receive automatic bids for their conference champion into the 2009 NCAA Division I Baseball Championship. The balance of the 64-team field will be selected at-large by the Baseball Committee: America East Conference, Atlantic 10 Conference, Atlantic Coast Conference, Atlantic Sun Conference, Big 12 Conference, Big East Conference, Big South Conference, Big Ten Conference, Big West Conference, Colonial Athletic Association, Conference USA, Horizon League, Ivy Group, Metro Atlantic Athletic Conference, Mid-American Conference, Mid-Eastern Athletic Conference, Missouri Valley Conference, Mountain West Conference, Northeast Conference, Ohio Valley Conference, Pacific-10 Conference, Southeastern Conference, Southern Conference, Southland Conference, Southwestern Athletic Conference, Summit League, Sun Belt Conference, The Patriot League, West Coast Conference and the Western Athletic Conference.

(2) Division I Men's Basketball. That the following 31 conferences receive automatic qualification for the 2009 championship: America East Conference, Atlantic Coast Conference, Atlantic Sun Conference, Atlantic 10 Conference, Big East Conference, Big Sky Conference, Big South Conference, Big Ten Conference, Big 12 Conference, Big West Conference, Colonial Athletic Association, Conference USA, Ivy Group,

Horizon League, Metro Atlantic Athletic Conference, Mid-American Conference, Mid-Eastern Athletic Conference, Missouri Valley Conference, Mountain West Conference, Northeast Conference, Ohio Valley Conference, Pacific-10 Conference, Patriot League, Southeastern Conference, Southern Conference, Southland Conference, Southwestern Athletic Conference, The Summit League, Sun Belt Conference, West Coast Conference and Western Athletic Conference.

(3) Men's Golf Committee. That the Atlantic Coast Conference, Atlantic Sun Conference, Atlantic 10 Conference, Big East Conference, Big South Conference, Big Ten Conference, Big 12 Conference, Big West Conference, Colonial Athletic Association, Conference USA, Horizon League, Ivy Group, Metro Atlantic Athletic Conference, Mid-American Conference, Missouri Valley Conference, Mountain West Conference, Northeast Conference, Ohio Valley Conference, Pacific-10 Conference, Patriot League, Southeastern Conference, Southern Conference, Southland Conference, Southwestern Athletic Conference, The Summit League, Sun Belt Conference, West Coast Conference and Western Athletic Conference be granted automatic qualification for the 2009 championships.

(4) Division I Women's Golf. That the following conferences receive automatic qualification for the 2009 NCAA Division I Women's Golf Championships: Atlantic Coast Conference, Atlantic Sun Conference, Big East Conference, Big Sky Conference, Big South Conference, Big Ten Conference, Big 12 Conference, Big West Conference, Colonial Athletic Association, Conference USA, Ivy Group, Mid-American Conference, Missouri Valley Conference, Mountain West Conference, Northeast Conference, Ohio Valley Conference, Pacific-10 Conference, Southeastern Conference, Southern Conference, Southland Conference, Southwestern Athletic Conference, The Summit League, Sun Belt Conference and Western Athletic Conference. [Note: The list above minus the Big West Conference was previously approved by the Championships/Sports Management Cabinet's Administrative Committee but is reproduced for informational purposes in light of the Championships/Sports Management Cabinet's action to grant the Big West Conference an exception.]

(5) NCAA Division I Women's Basketball Committee. That the following 31 conferences are eligible for automatic qualification for the 2009 NCAA

Division I Women's Basketball Championship: America East Conference, Atlantic Coast Conference, Atlantic Sun Conference, Atlantic 10 Conference, Big East Conference, Big Sky Conference, Big South Conference, Big Ten Conference, Big 12 Conference, Big West Conference, Colonial Athletic Association, Conference USA, Horizon League, Ivy Group, Metro Atlantic Athletic Conference, Mid-American Conference, Mid-Eastern Athletic Conference, Missouri Valley Conference, Mountain West Conference, Northeast Conference, Ohio Valley Conference, Pacific-10 Conference, Patriot League, Southeastern Conference, Southern Conference, Southland Conference, Southwestern Athletic Conference, The Summit League, Sunbelt Conference, West Coast Conference and Western Athletic Conference.

(6) NCAA Division I Men's Ice Hockey Committee. That the following receive automatic qualification for the 2009 NCAA Division I Men's Ice Hockey Championship: Atlantic Hockey Association, Central Collegiate Hockey Association, College Hockey America, ECAC Hockey League, Hockey East Association and the Western Collegiate Hockey Association.

(7) Men's Lacrosse Committee. That the following conferences receive automatic-qualification privileges for the 2009 Division I Men's Lacrosse Championship: America East Conference; Colonial Athletic Conference; Eastern College Athletic Conference; Western College Athletic Conference; Great Western Lacrosse League; Ivy Group; Metro Atlantic Athletic Conference and Patriot League.

(8) Women's Lacrosse Committee. That the following conferences receive automatic qualification to the 2009 NCAA Division I Women's Lacrosse Championship: America East Conference, Atlantic Coast Conference, Atlantic 10 Conference, Big East Conference, Colonial Athletic Conference, Ivy Group, and Patriot League. [Note: The Championships/Sports Management Cabinet did not approve a recommendation from the Women's Lacrosse Committee that the American Lacrosse Conference be granted a waiver of the six-team requirement. In addition, the Metro Atlantic Conference will host the Northeast Conference in the 2009 play-in game based on the final conference rating Percentage Index for the 2008 season.]

(9) NCAA Division I Softball Committee. That the following conferences receive automatic qualification privileges for the 2009 NCAA Division I Softball Championship: America East Conference, Atlantic Coast

Conference, Atlantic 10 Conference, Atlantic Sun Conference, Big East Conference, Big South Conference, Big Ten Conference, Big 12 Conference, Big West Conference, Colonial Athletic Association, Conference USA, Horizon League, Ivy Group, Metro Atlantic Athletic Conference, Mid-American Conference, Mid-Eastern Athletic Conference, Missouri Valley Conference, Mountain West Conference, Northeast Conference, Ohio Valley Conference, Pacific Coast Softball Conference, Pacific-10 Conference, Patriot League, Southeastern Conference, Southern Conference, Southland Conference, Southwestern Athletic Conference, The Summit League, Sun Belt Conference and Western Athletic Conference.

(10) Men's and Women's Tennis Committee. That the following 31 conferences sponsoring men's and women's tennis be awarded automatic qualification into the 2009 championships:

[Note: This action reflects action taken by the Championships/Sports Management Cabinet to grant the America East and Big West Conferences waivers of the six-team requirement in men's tennis.]

(a) Men's Conferences: America East Conference, Atlantic Coast Conference, Atlantic Sun Conference, Atlantic 10 Conference, Big East Conference, Big Sky Conference, Big South Conference, Big Ten Conference, Big 12 Conference, Big West Conference, Colonial Athletic Association, Conference USA, Horizon League, Ivy Group, Metro Atlantic Athletic Conference, Mid-American Conference, Mid-Eastern Athletic Conference, Missouri Valley Conference, Mountain West Conference, Northeast Conference, Ohio Valley Conference, Pacific-10 Conference, Patriot League, Southeastern Conference, Southern Conference, Southland Conference, Southwestern Athletic Conference, Summit League, Sun Belt Conference, West Coast Conference and Western Athletic Conference.

(b) Women's Conferences: America East Conference, Atlantic Coast Conference, Atlantic Sun Conference, Atlantic 10 Conference, Big East Conference, Big Sky Conference, Big South Conference, Big Ten Conference, Big 12 Conference, Big West Conference, Colonial Athletic Association, Conference USA, Horizon League, Ivy Group, Metro Atlantic Athletic Conference, Mid-American Conference, Mid-Eastern Athletic Conference, Missouri Valley

Conference, Mountain West Conference, Northeast Conference, Ohio Valley Conference, Pacific-10 Conference, Patriot League, Southeastern Conference, Southern Conference, Southland Conference, Southwestern Athletic Conference, Summit League, Sun Belt Conference, West Coast Conference and Western Athletic Conference.

(11) Men's and Women's Track and Field Committee. That the following conferences receive automatic qualification for their individual event champions into their respective outdoor track and field regional championship meets:

(a) Men's Track and Field (30 conferences: America East Conference, Atlantic 10 Conference, Atlantic Coast Conference, Atlantic Sun Conference, Big 12 Conference, Big East Conference, Big Sky Conference, Big South Conference, Big Ten Conference, Big West Conference, Colonial Athletic Association, Conference USA, Horizon League, Ivy Group, Metro Atlantic Athletic Conference, Mid-American Conference, Mid-Eastern Athletic Conference, Missouri Valley Conference, Mountain West Conference, Northeast Conference, Ohio Valley Conference, Pacific-10 Conference, Patriot League, Southeastern Conference, Southern Conference, Southland Conference, Southwestern Athletic Conference, Summit League, Sun Belt Conference, Western Athletic Conference.

(b) Women's Track and Field (30 conferences): America East Conference, Atlantic 10 Conference, Atlantic Coast Conference, Atlantic Sun Conference, Big 12 Conference, Big East Conference, Big Sky Conference, Big South Conference, Big Ten Conference, Big West Conference, Colonial Athletic Association, Conference USA, Horizon League, Ivy Group, Metro Atlantic Athletic Conference, Mid-American Conference, Mid-Eastern Athletic Conference, Missouri Valley Conference, Mountain West Conference, Northeast Conference, Ohio Valley Conference, Pacific-10 Conference, Patriot League, Southeastern Conference, Southern Conference, Southland Conference, Southwestern Athletic Conference, Summit League, Sun Belt Conference, Western Athletic Conference.

(12) Men's Volleyball Committee. That the Eastern Intercollegiate Volleyball Association, Midwestern Intercollegiate Volleyball Association and the Mountain Pacific Sports Federation are granted automatic qualification to the 2009 championships.

(13) NCAA Women's Water Polo Committee. That the following conferences receive automatic qualification for the 2009 National Collegiate Women's Water Polo Championship: Collegiate Water Polo Association, Metro Atlantic Athletic Conference, Mountain Pacific Sports Federation, Southern California Intercollegiate Athletic Conference and the Western Water Polo Association.

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

REPORT OF THE NCAA DIVISION I RECRUITING AND ATHLETICS PERSONNEL ISSUES CABINET SEPTEMBER 18-19, 2008, MEETING

ACTION ITEMS.

1. Legislative Items.

- **None.**

2. Nonlegislative Items.

- **None.**

INFORMATIONAL ITEMS.

1. Legislative - Comments on Proposals to be Initially Considered by the NCAA Division I Legislative Council in January 2009.

a. **NCAA Proposal No. 2008-10 – Personnel – Definitions and Applications – Minority Graduate Assistant Coach – Championship Subdivision Football.** The NCAA Division I Recruiting and Athletics Personnel Issues Cabinet opposes Proposal No. 2008-10, which would establish a program by which a minority graduate assistant coach position is awarded annually to each NCAA Division I Football Championship Subdivision conference and the parameters of the program and position, as specified. While the cabinet is supportive of efforts to increase diversity in head coaching positions, the cabinet believes the establishment of such a program and details of the program's policies and procedures would more appropriately be addressed through nonlegislative action and in a way that minimizes any competitive advantage.

b. **Proposal No. 2008-11 – Personnel – Limitations on the Duties of Coaches – Noncoaching Activities – Exception – Student Manager – Baseball.** The cabinet opposes Proposal No. 2008-11, which would permit a student manager in baseball to be involved in on-field activities without counting in the institution's coaching limitations, provided the student manager participates in the activities within five years of his or her initial full-time collegiate enrollment and does not provide instruction to student-athletes or engage in other coaching activities. The cabinet expressed concern that the proposal does not limit the number of managers an institution could carry and participate in these activities. Further, the cabinet noted there are no restrictions regarding the eligibility of these individuals in subsequent years; therefore, the cabinet is concerned about potential tryouts for

these individuals who could be eligible for competition in subsequent years. The cabinet suggested the sponsor consider establishing a limit on the number of permissible managers, clarifying the future eligibility options (if any) of these individuals and whether it would be appropriate to extend this proposal to include other sports.

c. **Proposal No. 2008-12 – Personnel – Limitations on Number of Off-Campus Recruiters at Any One Time – Exception – Women's Basketball – July Evaluation Periods.** The cabinet supports Proposal No. 2008-12, which specifies, in women's basketball, that during the July evaluation periods, a coach replaced for the purpose of off-campus recruiting activities is not required to return to the institution's campus before engaging in additional recruiting activities, provided no more than three coaches engage in off-campus recruiting activities each day. The cabinet agreed with the sponsor's rationale statement. Although the cabinet discussed whether this proposal should be expanded to other time periods and other sports, the cabinet agreed the membership should first consider the current proposal.

d. **Proposal No. 2008-15 – Recruiting – Definitions and Applications – Prospective Student-Athlete – Institutional Orientation Session.** The cabinet opposes Proposal No. 2008-15 which specifies that a prospective student-athlete who has signed a National Letter of Intent (NLI) [or, for an institution that does not use the NLI in a particular sport or for a prospective student-athlete who is not eligible to sign an NLI (e.g., four-year college transfer), the institution's written offer of admission and/or financial aid] and has reported to a required institutional orientation session within 14 calendar days prior to the opening day of classes of a regular academic year team would not be subject to the contact restrictions in NCAA Bylaw 13 and would be considered a student-athlete for the purposes of Bylaw 16 as of the opening day of the required orientation. The cabinet expressed concern that only a limited number of institutions have required orientation sessions within 14 days of the opening day of classes and believes the waiver process is the most appropriate avenue to address these situations.

e. **Proposal No. 2008-16 – Recruiting – Contacts and Evaluations – Countable Individuals – Student-Athlete Withdrawn from Four-Year College – Exception – Official Church Mission.** The cabinet supports Proposal No. 2008-16 which would prohibit an institution from contacting a student-athlete who has begun service on an official church mission without obtaining permission from the institution from which the student-athlete withdrew prior to beginning his or her mission if the student-athlete signed an NLI and attended the institution (with which he or she signed the NLI) as a full-time student; further, the proposal specifies that if such a student-athlete has completed his or her official church

mission and does not enroll full time in a collegiate institution within one calendar year of completion of the mission, an institution may contact the student-athlete without obtaining permission from the first institution. The cabinet agrees with the sponsor's rationale statement and believes this would add appropriate mechanisms to protect the student-athlete and institution with which they originally signed a NLI.

f. **Proposal No. 2008-17 – Recruiting – Contacts and Evaluations – Permissible Recruiters – Bowl Subdivision Football – Head Coach Restrictions – Spring Evaluation Period – Other Off-Campus Activities.** The cabinet supports Proposal No. 2008-17 which would, in bowl subdivision football, prohibit the head coach from participating in an off-campus coaching clinic, visiting a prospective student-athlete's educational institution for any reason or meeting with a prospective student-athlete's coach at an off-campus location during the April 15 through May 31 evaluation period. The cabinet agrees with the sponsor's rationale statement and believes that this proposal is consistent with the intent of Proposal No. 2007-32, adopted last year to prohibit head coaches from engaging in off-campus recruiting activities during the spring evaluation period, by addressing additional activities that were not contemplated under the original proposal. The cabinet is also interested in feedback from the NCAA Division I Football Issues Committee which has not yet reviewed this proposal.

g. **Proposal No. 2008-18 – Recruiting – Telephone Calls Initiated by a Prospective Student-Athlete at Her Own Expense – Women's Lacrosse.** The cabinet opposes Proposal No. 2008-18 which would, in women's lacrosse, permit an institutional coaching staff member to receive telephone calls placed by a prospective student-athlete at her own expense before July 1 following her junior year in high school, provided the coaching staff member does not request that the prospective student-athlete call at a specific time or otherwise prearrange the telephone call; further, the proposal specifies that telephone calls placed after July 1 following the prospective student-athlete's junior year in high school may be prearranged. The cabinet recognizes the effort and intent of the Intercollegiate Women's Lacrosse Coaches Association in its attempt to address early recruitment concerns in their sport. However, the cabinet expressed concern regarding the difficulty associated with monitoring whether telephone calls are prearranged under this proposal. Further, the cabinet noted the issue of early offers has been identified by the NCAA Division I Board of Directors and NCAA Division I Leadership Council as an issue that requires further examination in all sports; therefore, the cabinet believes it would be premature to adopt sport-specific legislation at this time.

h. **Proposal No. 2008-19 – Recruiting – Contacts and Evaluations – Football – One Contact with Juniors or Seniors – Spring Evaluation Period.** The cabinet supports Proposal No. 2008-19, which specifies that in football, during the spring evaluation period, an institution may make one in-person, off-campus contact per prospective student-athlete (including prospective student-athletes in their junior year) at the prospective student-athlete's education institution; further, this proposal specifies that an institution may use an additional evaluation in conjunction with the contact. The cabinet agreed with the sponsor's rationale statement and noted this legislation would not increase the number of coaches permitted to recruit off campus at one time or permit the head coach to have contact with prospective student-athletes during the spring evaluation period.

i. **Proposal No. 2008-20 – Recruiting – Football Evaluations – Scholastic and Nonscholastic Activities – Events Organized and Conducted by Scholastic Athletics Governance Bodies – Other Evaluation Events.** The cabinet supports Proposal No. 2008-20, which specifies that in football, live athletics evaluations are permissible at events organized and conducted solely by a scholastic athletics governing body (e.g., state high school athletics association, junior college athletics association); further, this proposal specifies that institutional staff members shall not attend a recruiting event in which information (e.g., athletics or academic credentials, highlight video) related to prospective student-athletes is presented or otherwise made available. The cabinet agreed with the sponsor's rationale statement and noted this proposal further emphasizes the scholastic environment in recruiting activities.

j. **Proposal No. 2008-21 – Recruiting – Admission and Graduation Data, Banned Drug List and Initial-Eligibility Standards – Reports and Notifications – Eligibility Center.** The cabinet took no position on Proposal No. 2008-21 which would specify that the NCAA Eligibility Center shall provide the information contained within the disclosure reports related to admission, graduation-rate data, academic progress rate data, graduation success rate, as well as notification of initial-eligibility standards, the NCAA banned drug list and information about nutritional supplements to a prospective student-athlete and his or her parents or legal guardians after he or she has registered with the Eligibility Center or after the Eligibility Center has received an institution's request list, whichever occurs first. The cabinet noted the NCAA Division I Academics Cabinet opposed this proposal, but recommended a modification to address its concerns.

k. **Proposal No. 2008-22 – Recruiting – Printed Recruiting Materials – Institutional Postcards.** The cabinet supports Proposal No. 2008-22, which specifies that an institutional postcard may be provided to a prospective student-

athlete, his or her parents or legal guardians, his or her coach or any other individual responsible for teaching or directing an activity in which a prospective student-athlete is involved, provided its dimensions do not exceed 4¼ by 6 inches, it contains only the institution's name and logo or an athletics logo on one side when produced and it includes only handwritten information, (e.g., words, illustrations) on the opposite side when provided to the prospective student-athlete. The cabinet agreed with the sponsor's rationale statement that this will alleviate confusion and questions regarding postcards.

l. **Proposal No. 2008-23 – Recruiting – Recruiting Materials – Electronic Transmissions – After National Letter of Intent Signing or Other Written Commitment.** The cabinet supports Proposal No. 2008-23, which specifies that after the calendar day on which a prospective student-athlete signs an NLI, signs an institution's written offer of admission and/or financial aid, or submits a room or tuition deposit in response to the institution's written offer of admission, there shall be no limit on the forms of electronically transmitted correspondence sent by the institution with which the prospective student-athlete has committed. The cabinet agreed with the sponsor's rationale statement in its support.

m. **Proposal No. 2008-24 – Recruiting – Recruiting Materials – Other Recruiting Materials Posted to Institution's Web Site.** The cabinet opposes Proposal No. 2008-24, which would permit an institution to print and provide other recruiting information that is posted on its Web site to prospective student-athletes via regular mail as attachments to general correspondence or during any permissible on- or off-campus contact. The cabinet expressed concern regarding the possible circumvention of current restrictions on attachments to general correspondence by permitting items with a recruiting purpose to be posted on an institution’s Web site and sent to prospective student-athletes. The cabinet believes current legislation is appropriate, which permits institutions to print information from its Web site and send it to prospective student-athletes as attachments to general correspondence, provided the information does not have a recruiting purpose.

n. **Proposal No. 2008-26 – Recruiting – Official Visit – Meals on Official Visit – Meals at Airport or Bus or Train Station.** The cabinet supports Proposal No. 2008-26, which specifies that meals may be provided to a prospective student-athlete on an official visit at the airport or bus or train station at the time of his or her arrival or departure. The cabinet generally agrees with the sponsor's rationale statement, although the cabinet suggests the sponsor consider a modification to more precisely address the sponsor's specific concerns related to official visits.

o. **Proposal No. 2008-27 – Recruiting – Unofficial Visit – Housing – Lodging in Dormitories – Additional Restriction – Women's Lacrosse.** The cabinet

opposes Proposal No. 2008-27, which would, in women's lacrosse, prohibit an institution's athletics department staff member from arranging lodging for a prospective student-athlete on an unofficial visit in an enrolled student-athlete's residence (e.g., dormitory room, apartment) until August 1 following the prospective student-athlete's junior year in high school. The cabinet recognizes the effort and intent of the Intercollegiate Women's Lacrosse Coaches Association in its attempt to address early recruitment concerns in their sport. However, the cabinet is unclear how this proposal would meaningfully address issues related to early recruitment since it would still be permissible for high school juniors to participate in an unofficial visit and stay with students who are not student-athletes or stay in off-campus locations (e.g., hotels) where no supervision is provided which raises prospective student-athlete well-being concerns. Further, the cabinet noted the issue of early offers has been identified by the Board of Directors and Leadership Council as an issue that requires further examination in all sports; therefore, the cabinet believes it would be premature to adopt sport-specific legislation at this time.

p. **Proposal No. 2008-28 – Recruiting – Financial Aid Agreements – Offers of Aid Before July 1 Following Junior Year – Women's Lacrosse.** The cabinet opposes Proposal No. 2008-28, which would, in women's lacrosse, prohibit an institution from offering (or indicate that it will or may offer), orally or in writing, athletically related financial aid, other institutional financial aid or admissions assistance before July 1 following the prospective student-athlete's junior year in high school; further, the proposal specifies that an institution may not accept any commitment from a prospective student-athlete before July 1 following the prospective student-athlete's junior year in high school. The cabinet recognizes the effort and intent of the Intercollegiate Women's Lacrosse Coaches Association in its attempt to address early recruiting concerns in their sport. Further, the cabinet noted the issue of early offers has been identified by the Board of Directors and Leadership Council as an issue that requires further examination in all sports; therefore, the cabinet believes it would be premature to adopt sport-specific legislation at this time.

q. **Proposal No. 2008-29 – Recruiting – Tryouts – Exceptions – Voluntary Summer Conditioning – Sports Other than Football and Basketball.** The cabinet opposes Proposal No. 2008-29 which would, in sports other than football and basketball, permit a prospective student-athlete to engage in voluntary summer workouts conducted by the institution's strength and conditioning coach with department-wide duties and 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. Although the cabinet is supportive of addressing sport-equity issues regarding the

current legislation, it expressed concern with increased costs and demands on athletics staff members (e.g., strength and conditioning coaches and athletic trainers) associated with having a greater number of prospective student-athletes on campus during the summer. Additionally, the cabinet noted the requirements for participation in voluntary summer activities would be different for football and basketball compared to all other sports under this proposal.

r. **Proposal No. 2008-30 – Recruiting – Sports Camps and Clinics – Employment at Camp or Clinic – High School, Preparatory-School, Two-Year College Coaches or Other Individuals Involved with Prospective Student-Athletes – Employment as Speaker – Men's Basketball.** The cabinet supports Proposal No. 2008-30, which would, in men's basketball, specify that an institution shall not employ a speaker in its camp or clinic who is involved in coaching prospective student-athletes or is associated with a prospective student-athlete as a result of the prospective student-athlete's participation in basketball. The cabinet received clarification that this proposal would prohibit these individuals from serving as speakers at institutional camps or clinics even if the individual is employed as a camp counselor at the same institutional camp or clinic. Further, the proposal would prohibit these individuals from serving as speakers at any type of institutional camp or clinic, including coaching clinics. Finally, the cabinet would support an immediate effective date in order for the legislation to apply to institutional camps or clinics in summer 2009.

s. **Proposal No. 2008-31 – Recruiting – Use of Recruiting Funds – Recruiting Services – Video Services.** The cabinet opposes Proposal No. 2008-31 which would eliminate the requirement that off-campus observation of a prospective student-athlete on a video that is made available by a scouting service be considered an evaluation activity subject to applicable evaluation regulations. The cabinet expressed concern that this legislation could lead to the proliferation of video recruiting events (e.g., hotel nights) and increase the demands on coaching staffs to attend such events. The cabinet noted current regulations permit coaches to view this video at home without it counting as an evaluation. The cabinet noted the NCAA Division I Women’s Basketball Issues Committee is opposed to this proposal.

t. **Proposal No. 2008-66 – Administrative Regulations – Recruiting Calendars – Football – Dead Period.** The cabinet opposes Proposal No. 2008-66 which would, in football, specify that an institution shall designate two weeks (not required to be consecutive) during the months of June and July as a dead period. The cabinet noted institutions should be provided with the flexibility and discretion to monitor its own staff and office schedules without being required to adhere to a legislated dead period.

u. **Proposal No. 2008-67 – Administrative Regulations – Recruiting Calendars – Softball – Contact Period August 1 Through the Day Prior to Thanksgiving Day.** The cabinet opposes Proposal No. 2008-67 which would, in softball, establish a contact period from August 1 through the day prior to Thanksgiving Day. The cabinet expressed concern that the current legislation has only been effective for approximately one year and the cabinet believes more time is necessary to assess its impact before considering changes. Further, the cabinet noted the National Fastpitch Coaches Association is opposed the proposal for this same reason.

v. **Proposal No. 2008-68 – Administrative Regulations – Recruiting Calendars – Women's Lacrosse – Fall Evaluations.** The cabinet opposes Proposal No. 2008-68 which would, in women's lacrosse, specify that during the fall contact period, evaluations of prospective student-athletes participating in lacrosse activities who have not started their senior year in high school are limited to the three weekends prior to Thanksgiving. The cabinet recognizes the effort and intent of the Intercollegiate Women's Lacrosse Coaches Association in its attempt to address early recruitment concerns in their sport. However, the cabinet is unclear how common "senior only" tournaments are in the sport and whether scholastic lacrosse seasons in all states are in the spring. Additionally, the cabinet noted the potential increase in the number of inadvertent secondary violations if participants' grade levels are not known. Finally, the cabinet noted this issue has been identified by the Board of Directors and Leadership Council as an issue that requires further examination in all sports; therefore, the cabinet believes it would be premature to adopt sport-specific legislation at this time.

2. Nonlegislative.

a. New NCAA Division I governance structure. The cabinet reviewed the changes to the Division I governance structure, including its role and responsibilities. Cabinet members were reminded of the importance of communication in the new structure, both within the structure and to conferences. Specifically, cabinet members have been instructed to work with their respective conferences to determine a method by which cabinet business will be communicated and members are expected to report back during the February meeting. Additionally, the three-to-five year national office strategy and issues on the Division I agenda were identified to help the cabinet understand the key issues facing the national office and Division I membership.

b. **Report from NCAA Division I Leadership Council Communications and Coordination Committee.** The cabinet reviewed the August 27, 2008, report from the Division I Leadership Council Communications and Coordination Committee which included the key issues raised by the Leadership Council during its first meeting, including the issue of early offers.

c. **Review of Bylaws 11 and 13 legislation.** The cabinet received an educational review of Bylaws 11 and 13 legislation and interpretations, including past issues discussed and addressed by the former NCAA Division I Academics/Eligibility/Compliance Cabinet Subcommittee on Recruiting and future areas of concern.

d. **Cabinet policies and procedures.** The cabinet approved its policies and procedures which establishes an Administrative Committee and outlines relevant policies and procedures to guide the cabinet's future work.

e. **Discussion of cabinet's guiding principles and future priorities.** The cabinet engaged in a discussion regarding its guiding principles and priorities. This discussion centered on the cabinet's charge and duties, the guiding principles established by the Subcommittee on Recruiting, transitional items from the subcommittee and the identification of priority issues. The cabinet agreed that the issue of coaching limits and the number of noncoaching staff members should be added to the list of cabinet priority issues to be addressed at future meetings which includes: early offers of athletics aid, recruiting and video services, recruiting materials and technology, scouting of opponents – film exchange and a review of "dated" legislation.

f. **Articles of interest.** The cabinet directed staff to continually collect media and news articles related to recruiting issues and forward to the full cabinet to help identify and provide context for key recruiting issues.

Cabinet Chair: *Petrina Long, University of California, Los Angeles, Pacific-10 Conference*
Staff Liaison(s): *Jeremiah Carter, Membership Services*
Amy Huchthausen, Membership Services
Charnele Kemper, Membership Services
Jackie Thurnes, Enforcement Services

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

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

***ACTION ITEMS*.**

1. Legislative Items.

- **None.**

2. Nonlegislative Items.

- **None.**

***INFORMATIONAL ITEMS*.**

1. Legislative Informational Items.

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

(1) NCAA Proposal No. 2008-14 -- Recruiting -- Definitions and Applications -- Prospective Student-Athlete -- Enrollment and Attendance in Summer Classes Prior to Initial Full-Time Enrollment. The cabinet agreed to support Proposal No. 2008-14 as written, which would specify that an individual shall no longer be considered a prospective student-athlete for purposes of the contact limitations in NCAA Bylaw 13 and shall be considered a student-athlete for purposes of Bylaw 16 at the point in which he or she officially registers and enrolls and attends classes in an institution's summer term prior to initial full-time enrollment. The cabinet agrees with the sponsor's rationale for the proposal. (18-1-0)

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

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

(3) Proposal No. 2008-25 -- Recruiting -- Official Visit and Letter of Intent Programs -- Requirements for Official Visit and Offers of Athletically Related Financial aid -- Completion of Amateurism Certification Questionnaire. The cabinet agreed to oppose Proposal No. 2008-25, which would specify that a high school, preparatory school or transfer (if applicable) prospective student-athlete must complete the amateurism certification questionnaire administered by the NCAA Eligibility Center before an institution may provide the prospective student-athlete an official visit; further, to specify that an institution shall not provide a high school, preparatory school or transfer prospective student-athlete a written offer of athletically related financial aid until he or she has completed the amateurism certification questionnaire with the Eligibility Center. The cabinet recommends the sponsor modify the proposal to specify that a high school, preparatory school or transfer (if applicable) prospective student-athlete must complete the amateurism certification questionnaire administered by the NCAA Eligibility Center before an institution may provide a written offer of athletically related financial aid. The cabinet is

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

(4) Proposal No. 2008-28 -- Recruiting -- Financial Aid Agreements -- Offers of Aid Before July 1 Following Junior Year -- Women's Lacrosse. The cabinet took no position on Proposal No. 2008-28, which would, in women's lacrosse, specify that an institution shall not offer (or indicate that it will or may offer), orally or in writing, athletically related financial aid, other institutional financial aid or admissions assistance before July 1 following the prospective student-athlete's junior year in high school; further, to specify that an institution shall not accept any commitment from a prospective student-athlete before July 1 following the prospective student-athlete's junior year in high school. The cabinet applauded the leadership displayed by the National Women's Lacrosse Coaches Association on this issue and supports the concept. However, the cabinet encourages the NCAA Division I Legislative Council to table the proposal until the NCAA Division I Recruiting and Athletics Personnel Issues Cabinet can review the issue of early offers of financial aid. Finally, the cabinet was supportive of a broader discussion on this issue for potential solutions applicable to all sports. (18-0-1)

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

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

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

(7) Proposal No. 2008-42 -- Awards, Benefits and Expenses -- Complimentary Admissions and Ticket Benefits -- Postseason Events. The cabinet agreed to support Proposal No. 2008-42 as written, which would specify that an institution may provide each student-athlete who participates in or is a member of a team participating in a postseason event (e.g., conference championship, NCAA championship, National Invitation Tournament, bowl game) with six complimentary admissions to all intercollegiate athletics events at the site at which the student (or team) participates. The cabinet agrees with the sponsor's rationale for the proposal. (14-5-0)

(8) Proposal No. 2008-43 -- Awards, Benefits and Expenses -- Housing and Meals -- Nutritional Supplements -- Fruit, Nuts and Bagels. The cabinet took no position on Proposal No. 2008-43, which would specify that fruit, nuts and bagels are classes of nonmuscle-building nutritional supplements that may be provided to student-athletes for the purpose of providing additional calories and electrolytes. The cabinet is supportive of a broader review of nutritional supplements and whole foods by the NCAA Committee on Competitive Safeguards and Medical Aspects of Sports (CSMAS). The cabinet recommends the Legislative Council table this proposal until CSMAS can complete this review. (17-0-2)

(9) Proposal No. 2008-44 -- Awards, Benefits and Expenses -- Expenses Provided by the Institution for Practice and Competition -- Departure/Return Expense Restrictions -- Exceptions -- Travel Following Championships Events and Postseason Football Games. The cabinet agreed to support Proposal No. 2008-44 as written, which would specify that travel following contests in NCAA championship events, national governing body championships in emerging sports or licensed postseason

football games that take place during the institution's official vacation period during the academic year or between regular academic terms are exempt from the requirement that a student-athlete remain no longer than 36 hours following the conclusion of the competition in order to receive actual and necessary expenses to return to campus. The cabinet recommends that the sponsor clarify which expenses (e.g., transportation, meals, lodging) may be provided by the institution beyond the 36-hour period and whether the student-athlete must remain in the locale of the championship event or postseason football game in order to receive these expenses. (17-1-1)

(9) Proposal No. 2008-52 -- Playing and Practice Seasons -- Football -- Preseason Practice -- Limit on Number of Participants – Replacement of Student-Athlete Due to Injury or Illness. The cabinet agreed to support Proposal No. 2008-52 as written, which would, in football, specify that a student-athlete who sustains an injury or illness that prevents further participation in preseason practice activities may be replaced with another student-athlete without including that individual in the institution's limitation on the number of individuals who may participate in preseason practice. (18-0-1)

b. Other Legislative Comments.

- None.

2. Nonlegislative Informational Items.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) February 2007 Financial Aid Workshop; and

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

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

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

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

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

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

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

(iii) Equivalency versus head count designations.

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

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

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

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

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

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

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

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

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

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

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

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

MINUTES OF THE

NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

EXECUTIVE COMMITTEE

NCAA National Office
Indianapolis, Indiana

August 7, 2008

Participants:

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

Anthony DiGiorgio, Winthrop University, was 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 and education services/senior woman administrator (SWA); Dennis Cryder, senior vice president of branding and communications; Jim Isch, senior vice president of administration/chief financial officer (CFO); Corey Jackson, director of diversity and inclusion; Tom Jernstedt, executive vice president; Kevin Lennon, vice president of membership services; Keith Martin, managing director of finance and operations; Wallace Renfro, senior advisor to the NCAA president; Greg Shaheen, senior vice president of basketball and business strategies; Bob Williams, managing director of

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

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

The meeting was called to order at 2:15 a.m. by the chair, President Adams. All members were present as noted above.

1. Welcome and announcements. Adams welcomed members and staff to the meeting. He recognized President Eddie Moore, whose term of service is ending, for his commitment, service and leadership in advancing the ideals, values and goals of the NCAA. He also presented Moore with a service award.

2. Approval of April 24, 2008, meeting minutes.

   It was VOTED

   "To approve the Executive Committee minutes of the April 24, 2008, meeting as distributed."

3. NCAA President's report.

   a. Staff video. President Brand shared a specially produced video that highlights the NCAA national office staff and communicates the staff's common purpose and commitment to the student-athlete. The video is part of the 2008 NCAA brand campaign and is intended for internal staff usage.

   b. Facility expansion. Brand called on Bill Browne of Ratio Architects Inc. to provide a brief overview of discussions related to the expansion of the NCAA national office facility. Brand noted that the current facility does not adequately house the national office and eligibility center staff nor provide enough meeting space for committees. The new facility will highlight the educational mission of the Association and offer opportunities for closer ties to the campus of Indiana University – Purdue University at Indianapolis.

c. NCAA conflict of interest policies. Brand called on Franklin to discuss a draft conflict of interest policy for NCAA committees. Franklin noted that, over the past three months, an internal group engaged in a thorough review of existing conflict of interest policies. He noted variation in language and an overall lack of consistency across the committee structure. This draft policy speaks to the ethical and moral obligation associated with committee service, a general fiduciary duty and an obligation to disclose conflicts of interest and recuse where appropriate. The policy is broadly stated, recognizing the variances in committee function and the need for flexibility.

It was VOTED

"To approve the conflict of interest policy."

d. NCAA alcohol policy. Brand called on Shaheen to discuss the NCAA alcohol policy. The NCAA for years has banned sales and advertising of all alcohol at its 88 championships. The Association also limits broadcast advertising during championships to not more than 60 seconds per broadcast hour and two minutes in any championship telecast or broadcast. The Committee voted to reaffirm the alcohol policy and encourages member institutions to use the Association's policy as a guideline for reviewing their campus policies.

4. NCAA Executive Committee Finance Committee report.

a. Third quarter FY 2007-08 budget-to-actual. The Finance Committee reviewed third quarter budget-to-actual report with staff and feels comfortable that the Association is on track to meet its budget projections.

(1) Revenues. Results indicate the Association will exceed its revenue estimates for the fiscal year ending 2007-08. It has received 100 percent of the rights fee from CBS Sports and ESPN. The Association also has received some incremental revenue attributed to licensing and international television rights in the third quarter. It is expected fourth quarter revenues will be minimal in this area but will exceed planned expectations for the year.

It is anticipated that the Association will exceed its championships' revenue budget projections in the fourth quarter when a majority of the spring championships revenues will be received. The NCAA had strong 3rd quarter revenues as Men's Ice Hockey host revenue increased 18 percent over the prior year. Men's Lacrosse revenue was collected earlier than anticipated, and revenue results exceeded the plan. The committee noted

that the Association has not recorded its unrealized investment losses for the year, but only a minimal amount of investment earnings is included in the operating budget. The Association's investment earnings are allocated to the quasi-endowment. Finally, the $50 million of incremental planned revenue has been achieved for 2007-08 as of the end of the third quarter. The Association will have some surplus dollars at the end of our fiscal year.

(2) Expenses. Division I expenses are two percentage points above the prior year, primarily due to the increase in championship travel costs. More than one-half of the revenue distribution expenses to conferences and member institutions will occur in the fourth quarter.

Division I Men's Basketball game expenses have increased due to the stadium seating and uplink expenses. The investment in the stadium seating has a direct correlation in the Division I Men's Basketball revenue projections. The overall revenue projections increased approximately $10 million, and the financial results have been achieved.

Division I championships travel is anticipated to exceed its planned budget as year-to-date travel costs have increased 25 percent over the prior year. Travel cost is an area that will require close attention. The committee noted the need to make some adjustments in championships policies in order to minimize the financial risk. Division II also has a double digit increase in its travel costs, and it also made a supplemental distribution back to the membership from prior year surpluses. There are adequate reserves and resources to cover any budget variance from the Division II allocation. Division III has maintained its travel cost increases within single digits and will likely stay within budget allocations. However, the division does have adequate reserves in the event of any budget variance.

The Association-wide expenses of approximately $87.6 million are within the budget parameters, and the year-to-date actual Association-wide expenses have decreased from the prior year due to a decrease in legal expenses. Based on the third quarter financial results, the Association will stay within budget parameters and will likely have a year-end surplus for FY 2007-08. The Audit Committee will review the audited financial results for FY 2007-08 at its December meeting, and the Executive Committee will review the audited statements in January 2009.

b. Officiating plans. The Committee received an update on the College Football Officiating, LLC (CFO), a collaborative effort between the Collegiate Commissioners Association (CCA) and NCAA to improve the level of college football officiating and to create a central authority to monitor and correct inconsistencies nationally. The CFO was created to ensure consistent application of NCAA football playing rules and officiating mechanics, establish a central leader for officiating, enhance the existing conference officiating programs and to ensure officials and conferences adhere to NCAA and CCA policies. Additionally, the CFO hopes to best position the officiating community for the future in an attempt to present student-athletes, coaches and fans with the best experience possible.

5. Report from Executive Committee working group on life and work balance issues. The Committee received the working group's final report. In January 2007, the NCAA Executive Committee charged a working group, chaired by President Carol Cartwright, to oversee the implementation of life and work balance recommendations from a previous task and to engage the divisional governance bodies on this important issue.

The working group discussed the competitive nature of intercollegiate athletics and the impact this culture may have on an individual's attempts to appropriately balance personal and professional interests. The group noted that any new initiative should be multifaceted, and provide an educational framework that could guide an individual's decision-making process. The group noted that a multifaceted approach includes legislative proposals, engaging dialogue and collaborating with affiliate organizations.

To this end, the working group developed a philosophy statement indicating the NCAA's commitment to supporting an inclusive culture that fosters opportunities for growth, development and well-being. The Association also supports the concept of institutional autonomy and recognizes the responsibility of each institution to address these issues at the campus level. The working group reported on the development of several initiatives that are designed to continue raising the level of exposure of this very important issue, including a comprehensive resource Web site, and train-the-trainer workshops.

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

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

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

(1) Controlling goals. Reviewed the three controlling goals for the Association for the next three to five years, which are:

(a) Complete this cycle of academic reform;

(b) Subserve all business, corporate and championships efforts and decisions, especially those concerning basketball, to positioning for and negotiating new media contracts; and

(c) Focus on issues related to student-athletes and athletes personal well-being.

(2) Sportsmanship and negative fan behavior. Discussed the issue of sportsmanship and negative fan behavior and agreed to establish a subgroup of the Board to help to further define the associated issues and identify the NCAA's role, if any, in helping to address these issues.

(3) Division I Task Force on Commercial Activity. Received an update on the work of the Division I Task Force on Commercial Activity in Intercollegiate Athletics, which is charged with developing principles that indentify the balance point between crass commercialism and unrealistic idealism.

(4) Fantasy leagues. Received an update regarding a recent ruling by the 8th Circuit Federal Court of Appeals in which the court applied Missouri state law to professional fantasy leagues. This has led fantasy sports games distributions to conclude that offering a college football fantasy game that includes names and game statistics of college student-athletes would be consistent with the ruling. The Board discussed the fact that this court ruling may conflict with current NCAA amateurism bylaws.

(5) Division I Men’s Basketball Academic Enhancement Group. Received an update on the ongoing work of the Division I Men's Basketball Academic Enhancement Group. This group has been charged with identifying ways to enhance the academic progress and graduation rates in men's basketball. The Board discussed the importance of this work to the broader academic reform agenda.

(6) Division I Committee on Academic Performance (CAP). Received a report from the CAP and approved a number of changes to the committee’s composition. The CAP anticipates an increase in the number of academic performance program penalty appeals as more severe sanctions are implemented.

(a) Approved, in principle, the Academic Performance Program policies and procedures, which include the procedures for Occasion-Three and Four Historical Penalty Waivers and Appeals but asked the committee, the NCAA general counsel's office and selected Board members to seek to further develop the language regarding the specific standard for appeal and to report back to the Board with that language at its October meeting.

(b) Supported the concept of permitting access to archived NCAA Division I Academic Progress Rate reports (including coaches' names) via the NCAA Web site to provide easier access for institutions conducting research during a coaching search and suggested the committee work with a small group of Board members and staff from the general counsel's office to consider a process, whereby APR Rates are assigned to coaches.

(c) Approved legislation to establish a definition of "education-impacting disability" as a current impairment that has a substantial educational impact on a student's academic performance and requires accommodation. This language will replace all references to "learning disabilities."

(7) Oversight and Monitoring Group. Received a report from the Oversight and Monitoring Group, which is the body charged with monitoring consideration by the governance structure of the recommendations of the Presidential Task Force on the future of Division I athletics. The Board received the good news that, of the 62 initiatives identified by the task force, nearly all have been considered or are in the process of being considered.

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

(1) Presidents Council election. Elected David F. Rankin, Southern Arkansas University, to serve as the new representative for Region 2. Dr. Rankin replaces John Cavanaugh, University of West Florida, who recently took the job as president of the Pennsylvania State System.

(2) Division II strategic plan. Met Wednesday evening to begin its review and provide input into the work that the Division II Strategic Planning Advisory Group has begun relative to the 2009-2012 strategic plan and its alignment with the Division II strategic positioning platform. The Presidents Council agreed with the five stated goals of academics and lifeskills;

athletics operations and compliance; game day and championships; membership and positioning initiatives; and diversity and inclusion. It is working toward having the plan in its final stages by the 2009 NCAA Convention.

(3) Make-A-Wish. Received a report that this year, under the leadership of the Division II Student-Athlete Advisory Committee, Division II student-athletes raised over $280,000 for the Make-A-Wish Foundation. It is the highest amount raised since the Division II relationship with Make-A-Wish began in 2003-04. Over the five-year relationship with Make-A-Wish, Division II student-athletes have collected more than $733,000. The amount raised by Division II is one of the largest grass-roots contributions to Make-A-Wish.

(4) Travel stipend. Approved a one-time allocation to institutions this year to help defray rising travel costs for athletics competition. The four-tiered allocation is based on the average distance between member institutions within a conference. While the dollar amounts of the allocations have yet to be determined, the highest distributions would go to schools in conferences with average travel distances for conference games of greater than 300 miles. The second greatest amount would go to institutions in conferences with average travel distances of greater than 200 miles. The other tiers are for average travel distances of greater than 100 miles and fewer than 100 miles. Given the tough economic climate that is compounded by rising fuel and other travel-related costs, the Council believes the one-time distribution is the best use of the membership fund balance from the 2007-08 budget.

(5) Membership destination. In an effort to continue Division II's work in demonstrating the division as a membership destination, agreed to pilot this fall an opportunity to support, through direct funding, the Dixie Rotary Bowl game. The game features competition between members of the Rocky Mountain Athletic Conference and the Great Northwest Athletic Conference. The Presidents Council sees this game as an opportunity to showcase the Division II identity and invite schools, colleges and universities in the west to see and understand the value of the Division II experience.

(6) Game environment. Received a report that Division II presidents and chancellors are signing a game-environment pledge to strive to provide a positive game atmosphere at all Division II athletics events. The pledge states that athletics events should reflect the values of higher education

and the mission of each institution. The game environment effort is connected to the division's community engagement initiative. As we hold athletics as the institution's front porch to the community, we want to ensure that, when the community attends our events, it is a positive and entertaining experience.

(7) Division II National Championships Festival. Received a report that, this past spring, Division II hosted its third National Championships Festival in Houston, Texas. The division crowned champions in men's and women's golf, men's and women's tennis, women's lacrosse and softball. Previous championships festivals occurred in the fall 2006 in Pensacola, Florida, and May 2004 in Orlando, Florida. The division is set to conduct its first winter championships festival in March 2009 in Houston and will host championships in men's and women's swimming and diving, men's and women's indoor track and field and wrestling. The festivals not only highlight the great athletics competition in Division II but demonstrate the division's commitment to community engagement. This past May, in Houston, student-athletes took part in building 10 homes for Habitat for Humanity and participated in youth clinics with local school children. The National Championships Festivals continue to be an important part of the Division II identity and its strategic direction.

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

(1) Membership growth. Reviewed a series of white papers on membership growth and related issues. The Wednesday evening President's Advisory Group included a thorough review of papers on the Division III philosophy and related role of presidents in governing the division, financial aid standards, academic report and eligibility issues, and membership requirements. The Presidents Council will finalize the white papers based on the advisory group's feedback and distribute to the full membership in the next month in order to establish context for the 2009 Convention discussions on this topic.

(2) Legislative proposals. Considered five proposals to sponsor for the 2009 Convention. It agreed to sponsor legislation to:

(a) Remove archery, badminton, synchronized swimming and team handball from the list of emerging sports for women.

(b) Add equestrian to the list of emerging sports for women.

(c) Specify that the end date for the fall nontraditional segment shall be the first date of final exams for that term.

(d) Establish October 15 as the first date of practice in ice hockey.

(e) Require that all head coaches be certified in first aid, cardiopulmonary resuscitation and automatic external defibrillator use.

(3) Drug education and testing pilot. Received an update on the drug education and testing pilot, noting that the first of two years has been completed. The Council examined preliminary year one testing results and considered recommended protocol changes for the pilot's second year. A comprehensive year one report will be presented to the Presidents Council during its October meeting.

(4) Strategic plan. Reviewed the division's 2008-10 strategic plan, noting a commitment to release an inaugural Division III annual report at the 2009 Convention. The report will include updates on the Division III budget, strategic initiatives and championships program.

8. NCAA Executive Committee Subcommittee on Gender and Diversity Issues. The Committee received a report from the NCAA Executive Committee Subcommittee on Gender and Diversity Issues. The subcommittee received a series of updates on diversity related programming and highlighted the Women's Coaches Academy and the Football Coaches Academies. The subcommittee noted that the Women's Coaches Academy has grown significantly with participation increasing each of the past five years, exceeding 400 coaches with this summer's events. The subcommittee noted an ongoing need for mentoring opportunity for female coaches, as well as the need for the development of best practices resources from experienced coaches.

The subcommittee provided an update on the number of African-American head football coaches in all three divisions and also discussed the three academies designed to develop minority football coaches. The Future Football Coaches Academy is designed to assist individuals who have recently completed collegiate eligibility and have a desire to enter the college football coaching profession. A unique aspect of this program is the mentoring opportunities that the faculty provides to participants. The Football Coaches Academy is designed to assist ethnic minority football coaches with career advancement through skills enhancement, networking and exposure opportunities while raising awareness regarding the substantial pool of talented ethnic minority coaches. Interested applicants must have one to eight years of college coaching experience. Finally, the Expert Coaches Forum assists ethnic minority football coaches with career advancement.

through skills enhancement, networking and exposure opportunities while raising awareness regarding the substantial pool of talented ethnic minority coaches. Interested applicants must have at least eight years of college coaching experience.

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

10. Adjournment. Adams convened a brief executive session and adjourned the meeting at 4:15 p.m.

# # # # #

REPORT OF THE OCTOBER 20-21, 2008,
NCAA DIVISION I LEGISLATIVE COUNCIL MEETING

ACTION ITEM.

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

  - **NCAA Proposal No. 2008-75 Eligibility -- Freshmen Academic Requirements -- Eligibility for Financial Aid, Practice and Competition -- Qualifier -- Exception -- Early Academic Certification -- Submission of Transcript [Attachment A]**

    (1) Recommendation. The NCAA Division I Legislative Council recommends that the Board of Directors sponsor Proposal No. 2008-75 into the current 2008-09 legislative cycle.

    (2) Effective Date. August 1, 2009.

    (3) Rationale. Proposal No. 2008-75 was sponsored by the NCAA Division I Academic Cabinet and recommended to the Legislative Council for adoption as noncontroversial legislation. The Legislative Council defeated a motion to consider the proposal as noncontroversial legislation; however, the Legislative Council agreed that the proposal merits consideration by the membership in the 2008-09 legislative cycle. The Legislative Council recognizes the vital importance of collecting the academic data on the final transcripts of prospective student-athletes who meet the early academic certification exception and that at the time the exception was adopted, there was an understanding that a process would be developed to ensure the collection of final transcripts. By including the proposal in the regular legislative cycle, issues related to the potential burden on institutions and specificity of application of the proposal may be fully vetted without delaying its potential implementation.

    (4) Estimated Budget Impact. None to minimal, as institutions generally receive a final high school transcript for admissions purposes.

    (5) Student-Athlete Impact. None.

INFORMATIONAL ITEMS.

1. Legislative Actions.

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

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

b. Actions, Preliminary Positions, Points to Consider, Comments and Mootnicity Implications Related to 2008-09 Legislative Cycle Proposals. The voting results related to the Legislative Council's sponsorship of alternative proposals are listed in Attachment C. Reference Attachment D for details regarding the actions, positions, points to consider, comments and mootnicity implications related to legislation scheduled for initial consideration in January 2009.

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

a. The Legislative Council approved minutes from the following 2008 Teleconference Nos. 4, 6, 7, 9, 10, 11, 14 and 17 as distributed.

b. The council used its authority pursuant to Constitution 5.4.1.1 to reverse a previously approved official interpretation and issue the following official interpretation:

Baseball and Softball are Separate Sports for Purposes of Amateurism and Outside Competition Legislation. (I) The Legislative Council determined that baseball and softball are considered separate sports for purposes of amateurism and outside competition legislation. [References: NCAA Bylaws 12.1.1 (amateur status), 12.1.3 (amateur status if professional in another sport), 14.7.1 (outside competition – sports other than basketball), official interpretations (3/11/96, Item No. 2 and 7/2/08, Item No. 2) and staff interpretation (1/26/94, item a), which have been archived.]

c. The Legislative Council discussed issues related to prospective student-athletes participating in recreational activities on an institution's campus during official or unofficial visits. It was noted that in many instances, although an institution does not advertise or publicize a prospective student-athlete's visit to its campus, the media are often apprised of details regarding such visits, including plans for the prospective student-athlete to participate in recreational activities (e.g., pick-up games) with enrolled student-athletes. The NCAA membership services staff has previously advised the membership to take steps to avoid allowing permissible recreational activities to become public spectacles (e.g., closing facilities, restricting recreational activities during particular times, such as immediately before or after intercollegiate athletics contests). The council recommended that the NCAA Division I Recruiting and Athletics Personnel Issues Cabinet review the issue and recommend possible interpretive or legislative solutions.

3. Report of the NCAA Division I Men's Basketball Academic Enhancement Group. The Legislative Council received a report and discussed the continuing work of the Men's Basketball Academic Enhancement Group. The Legislative Council recommends that the Board of Directors allow the final recommendations and proposals presented by the working group to be fully reviewed through the governance structure and legislative process, including feedback from the NCAA Division I Student-Athlete Advisory Committee. It was noted that the NCAA Division I Women's Basketball Issues Committee is working on an academic access model involving both summer school attendance and access for women's basketball student-athletes on initial enrollment at the certifying institution. The Legislative Council noted that the same process for review recommended for the men's basketball recommendations and proposals should apply to any women's basketball recommendations or proposals.

4. Legislative Council Policies and Operating Procedures. The Legislative Council approved formal policies and operating procedures to provide direction and clarity regarding council authority, individual member responsibilities, operational procedures, governance reporting structures and related guidelines. The Legislative Council did not approve specific deadlines for submission of materials, except for legislated deadlines. The Legislative Council directed the staff to establish deadlines as close to the scheduled meetings as logistically possible and to include provisions in the policies and procedures by which flexibility may be used to address additional issues as circumstances require. In addition, the Legislative Council recommended that information related to the legislative sunset provision be included in the policies and procedures.

5. Future Meeting Dates.

a. January 14-15, 2009, in conjunction with the NCAA Convention, Washington, D.C.

b. April 20-21; Indianapolis.

c. October 19-20; Indianapolis.

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

ATTACHMENT to ADDENDUM
SUPPLEMENT NO, 12
DI Leadership Council 11/08

NCAA Division I Legislative Council

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

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

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

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

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

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

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

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

2008-15	RECRUITING -- DEFINITIONS AND APPLICATIONS -- PROSPECTIVE STUDENT-ATHLETE -- INSTITUTIONAL ORIENTATION SESSION	To specify that a recruited prospective student-athlete who has signed a National Letter of Intent (NLI) [or, for an institution that does not use the NLI in a particular sport or for a prospective student-athlete who is not eligible to sign an NLI (e.g., four-year college transfer), the institution's written offer of admission and/or financial aid] and has reported to a required institutional orientation session within 14 calendar days prior to the opening day of classes of a regular academic year term shall not be subject to the contact restrictions in Bylaw 13 and shall be considered a student-athlete for purposes of Bylaw 16 as of the opening day of the required orientation.	• Is the legislation necessary?
			• Expressed concern related to differing institutional approaches to orientation sessions and potential advantages.
			  o Required vs. optional or none.
			  o Sessions throughout the summer vs. immediately before fall term.
			• May assist with issues related to room and board for international student-athletes prior to the beginning of the term.
			  o Alternative legislation should be tailored to address such issues.

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

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

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

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

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

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

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

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

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

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

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

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

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

Proposal Number	Title	Intent	Actions/Preliminary Positions/Points to Consider/Comments/Mootnicity Issues
2008-43	AWARDS, BENEFITS AND EXPENSES -- HOUSING AND MEALS -- FRUIT, NUTS AND BAGELS	To specify that an institution may provide fruit, nuts and bagels to student-athletes at any time.	• Overall potential for increased costs, but a possible practical savings or maintenance of supplement budget. o Cost could be shifted from supplements to fruit, nuts and bagels. • Potential to provide better nutrition to student-athletes. • Is the legislation necessary? o Is the current meals and benefits legislation sufficient to meet the nutritional needs of student-athletes? o Encourage responsible behavior of student-athletes and full use of current legislation. • Potential recruiting advantage.
2008-44	AWARDS, BENEFITS AND EXPENSES -- EXPENSES PROVIDED BY THE INSTITUTION FOR PRACTICE AND COMPETITION -- DEPARTURE/RETURN EXPENSE RESTRICTIONS -- EXCEPTIONS -- TRAVEL FOLLOWING CHAMPIONSHIPS EVENTS AND POSTSEASON FOOTBALL GAMES	To specify that return transportation following contests in NCAA championship events, national governing body championships in emerging sports or licensed postseason football games that take place during the institution's official vacation period during the academic year or between regular academic terms are exempt from the requirement that a student-athlete remain no longer than 36 hours following the conclusion of the competition in order to receive actual and necessary expenses to return to campus.	Preliminary support.

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

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

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

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

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

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

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

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

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

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

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

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

REPORT OF THE OCTOBER 20-21, 2008, NCAA DIVISION I LEGISLATIVE COUNCIL MEETING

***ACTION ITEM*.**

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

  - **NCAA Proposal No. 2008-75 Eligibility -- Freshmen Academic Requirements -- Eligibility for Financial Aid, Practice and Competition -- Qualifier -- Exception -- Early Academic Certification -- Submission of Transcript [Attachment A]**

    (1) Recommendation. The NCAA Division I Legislative Council recommends that the Board of Directors sponsor Proposal No. 2008-75 into the current 2008-09 legislative cycle.

    (2) Effective Date. August 1, 2009.

    (3) Rationale. Proposal No. 2008-75 was sponsored by the NCAA Division I Academic Cabinet and recommended to the Legislative Council for adoption as noncontroversial legislation. The Legislative Council defeated a motion to consider the proposal as noncontroversial legislation; however, the Legislative Council agreed that the proposal merits consideration by the membership in the 2008-09 legislative cycle. The Legislative Council recognizes the vital importance of collecting the academic data on the final transcripts of prospective student-athletes who meet the early academic certification exception and that at the time the exception was adopted, there was an understanding that a process would be developed to ensure the collection of final transcripts. By including the proposal in the regular legislative cycle, issues related to the potential burden on institutions and specificity of application of the proposal may be fully vetted without delaying its potential implementation.

    (4) Estimated Budget Impact. None to minimal, as institutions generally receive a final high school transcript for admissions purposes.

    (5) Student-Athlete Impact. None.

***INFORMATIONAL ITEMS*.**

1. Legislative Actions.

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

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

b. Actions, Preliminary Positions, Points to Consider, Comments and Mootnicity Implications Related to 2008-09 Legislative Cycle Proposals. The voting results related to the Legislative Council's sponsorship of alternative proposals are listed in Attachment C. Reference Attachment D for details regarding the actions, positions, points to consider, comments and mootnicity implications related to legislation scheduled for initial consideration in January 2009.

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

a. The Legislative Council approved minutes from the following 2008 Teleconference Nos. 4, 6, 7, 9, 10, 11, 14 and 17 as distributed.

b. The council used its authority pursuant to Constitution 5.4.1.1 to reverse a previously approved official interpretation and issue the following official interpretation:

Baseball and Softball are Separate Sports for Purposes of Amateurism and Outside Competition Legislation. (I) The Legislative Council determined that baseball and softball are considered separate sports for purposes of amateurism and outside competition legislation. [References: NCAA Bylaws 12.1.1 (amateur status), 12.1.3 (amateur status if professional in another sport), 14.7.1 (outside competition – sports other than basketball), official interpretations (3/11/96, Item No. 2 and 7/2/08, Item No. 2) and staff interpretation (1/26/94, item a), which have been archived.]

c. The Legislative Council discussed issues related to prospective student-athletes participating in recreational activities on an institution's campus during official or unofficial visits. It was noted that in many instances, although an institution does not advertise or publicize a prospective student-athlete's visit to its campus, the media are often apprised of details regarding such visits, including plans for the prospective student-athlete to participate in recreational activities (e.g., pick-up games) with enrolled student-athletes. The NCAA membership services staff has previously advised the membership to take steps to avoid allowing permissible recreational activities to become public spectacles (e.g., closing facilities, restricting recreational activities during particular times, such as immediately before or after intercollegiate athletics contests). The council recommended that the NCAA Division I Recruiting and Athletics Personnel Issues Cabinet review the issue and recommend possible interpretive or legislative solutions.

3. Report of the NCAA Division I Men's Basketball Academic Enhancement Group. The Legislative Council received a report and discussed the continuing work of the Men's Basketball Academic Enhancement Group. The Legislative Council recommends that the Board of Directors allow the final recommendations and proposals presented by the working group to be fully reviewed through the governance structure and legislative process, including feedback from the NCAA Division I Student-Athlete Advisory Committee. It was noted that the NCAA Division I Women's Basketball Issues Committee is working on an academic access model involving both summer school attendance and access for women's basketball student-athletes on initial enrollment at the certifying institution. The Legislative Council noted that the same process for review recommended for the men's basketball recommendations and proposals should apply to any women's basketball recommendations or proposals.

4. Legislative Council Policies and Operating Procedures. The Legislative Council approved formal policies and operating procedures to provide direction and clarity regarding council authority, individual member responsibilities, operational procedures, governance reporting structures and related guidelines. The Legislative Council did not approve specific deadlines for submission of materials, except for legislated deadlines. The Legislative Council directed the staff to establish deadlines as close to the scheduled meetings as logistically possible and to include provisions in the policies and procedures by which flexibility may be used to address additional issues as circumstances require. In addition, the Legislative Council recommended that information related to the legislative sunset provision be included in the policies and procedures.

5. Future Meeting Dates.

a. January 14-15, 2009, in conjunction with the NCAA Convention, Washington, D.C.

b. April 20-21; Indianapolis.

c. October 19-20; Indianapolis.

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

NCAA DI Legislative Proposals Scheduled for Initial Consideration in January.

Proposal Number	Title	Intent	Source	Effective Date
2008-9	NCAA MEMBERSHIP AND CHAMPIONSHIPS AND POSTSEASON FOOTBALL -- CONDITIONS AND OBLIGATIONS OF MEMBERSHIP -- OPERATING AND CAPITAL FINANCIAL DATA REPORT	To specify that an institution shall submit financial data detailing operating revenues, expenses and capital related to its intercollegiate athletics program to the NCAA on an annual basis, as specified, as a condition and obligation of membership and in order to be eligible to enter a team or individual in NCAA championship competition.	NCAA Division I Board of Directors.	August 01, 2009
2008-10	PERSONNEL -- DEFINITIONS AND APPLICATIONS -- MINORITY GRADUATE ASSISTANT COACH -- CHAMPIONSHIP SUBDIVISION FOOTBALL	To establish a program by which a minority graduate assistant coach position is awarded annually to each NCAA Division I Football Championship Subdivision (FCS) conference and to establish the parameters of the program and position, as specified.	Southern Conference.	August 01, 2009

Proposal Number	Title	Intent	Source	Effective Date
2008-11	PERSONNEL -- LIMITATIONS ON THE DUTIES OF COACHES -- NONCOACHING ACTIVITIES -- EXCEPTION -- STUDENT MANAGER -- BASEBALL	In baseball, to specify that a student manager may be involved in on-field activities (e.g., catching in the bullpen, pitching batting practice, hitting fungoes, shagging balls) without counting in the institution's coaching limitations, provided the student manager participates in the activities within five years of his or her initial full-time collegiate enrollment and does not provide instruction to student-athletes or engage in other coaching activities.	Pacific-10 Conference.	Immediate

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

Proposal Number	Title	Intent	Source	Effective Date
2008-14	RECRUITING -- DEFINITIONS AND APPLICATIONS -- PROSPECTIVE STUDENT-ATHLETE -- ENROLLMENT AND ATTENDANCE IN SUMMER CLASSES PRIOR TO INITIAL FULL-TIME ENROLLMENT	To specify that an individual shall no longer be considered a prospective student-athlete for purposes of the contact limitations in Bylaw 13 and shall be considered a student-athlete for purposes of Bylaw 16 at the point in which he or she officially registers and enrolls and attends classes in an institution's summer term prior to initial full-time enrollment.	NCAA Division I Academics/Eligibility /Compliance Cabinet (Subcommittee on Recruiting).	Immediate

Proposal Number	Title	Intent	Source	Effective Date
2008-15	RECRUITING -- DEFINITIONS AND APPLICATIONS -- PROSPECTIVE STUDENT-ATHLETE -- INSTITUTIONAL ORIENTATION SESSION	To specify that a prospective student-athlete who has signed a National Letter of Intent (NLI) [or, for an institution that does not use the NLI in a particular sport or for a prospective student-athlete who is not eligible to sign an NLI (e.g., four-year college transfer), the institution's written offer of admission and/or financial aid] and has reported to a required institutional orientation session within 14 calendar days prior to the opening day of classes of a regular academic year term shall not be subject to the contact restrictions in Bylaw 13 and shall be considered a student-athlete for purposes of Bylaw 16 as of the opening day of the required orientation.	Southeastern Conference.	Immediate

Proposal Number	Title	Intent	Source	Effective Date
2008-16	RECRUITING -- CONTACTS AND EVALUATIONS -- CONTACTABLE INDIVIDUALS -- STUDENT-ATHLETE WITHDRAWN FROM FOUR-YEAR COLLEGE -- EXCEPTION -- OFFICIAL CHURCH MISSION	To specify that an institution shall not contact a student-athlete who has begun service on an official church mission without obtaining permission from the institution from which the student-athlete withdrew prior to beginning his or her mission if the student-athlete signed a National Letter of Intent (NLI) and attended the institution (with which he or she signed the NLI) as a full-time student; further, to specify that if such a student-athlete has completed his or her official church mission and does not enroll full time in a collegiate institution within one calendar year of completion of the mission, an institution may contact the student-athlete without obtaining permission from the first institution.	Western Athletic Conference.	August 01, 2009

Proposal Number	Title	Intent	Source	Effective Date
2008-17	RECRUITING -- CONTACTS AND EVALUATIONS -- PERMISSIBLE RECRUITERS -- BOWL SUBDIVISION FOOTBALL -- HEAD COACH RESTRICTIONS -- SPRING EVALUATION PERIOD -- OTHER OFF-CAMPUS ACTIVITIES	In bowl subdivision football, to specify that the head coach shall not participate in an off-campus coaching clinic, visit a prospective student-athlete's educational institution for any reason or meet with a prospective student-athlete's coach at an off-campus location during the April 15 through May 31 evaluation period.	Southeastern Conference.	Immediate
2008-18	RECRUITING -- TELEPHONE CALLS INITIATED BY A PROSPECTIVE STUDENT-ATHLETE AT HER OWN EXPENSE -- WOMEN'S LACROSSE	In women's lacrosse, to specify that an institutional coaching staff member may receive telephone calls placed by a prospective student-athlete at her own expense before July 1 following her junior year in high school, provided the coaching staff member does not request that the a prospective student-athlete call at a specific time or otherwise prearrange the telephone call; further; to specify that telephone calls placed after July 1 following the prospective student-athlete's junior year in high school may be prearranged.	Ivy Group.	August 01, 2009

Proposal Number	Title	Intent	Source	Effective Date
2008-19	RECRUITING -- CONTACTS AND EVALUATIONS -- FOOTBALL -- ONE CONTACT WITH JUNIORS OR SENIORS -- SPRING EVALUATION PERIOD	In football, to specify that during the spring evaluation period, an institution may make one in-person, off-campus contact per prospective student-athlete (including prospective student-athletes in their junior year) at the prospective student-athlete's educational institution; further, to specify that an institution may use an additional evaluation in conjunction with the contact.	Big Ten Conference.	Immediate
2008-20	RECRUITING -- FOOTBALL EVALUATIONS -- SCHOLASTIC AND NONSCHOLASTIC ACTIVITIES -- EVENTS ORGANIZED AND CONDUCTED BY SCHOLASTIC ATHLETICS GOVERNANCE BODIES -- OTHER EVALUATION EVENTS	In football, to specify that live athletics evaluations are permissible at events organized and conducted solely by a scholastic athletics governing body (e.g., state high school athletics association, junior college athletics association); further, to specify that institutional staff members shall not attend a recruiting event in which information (e.g., athletics or academic credentials, highlight video) related to prospective student-	Southeastern Conference.	Immediate

		athlete is presented or otherwise made available.		
2008-21	RECRUITING -- ADMISSIONS AND GRADUATION DATA, BANNED DRUG LIST AND INITIAL-ELIGIBILITY STANDARDS -- REPORTS AND NOTIFICATION -- ELIGIBILITY CENTER	To specify that the NCAA Eligibility Center shall provide the information contained within the disclosure reports related to admissions, graduation-rate data, academic progress rate and graduation success rate to a prospective student-athlete and his or her parents or legal guardians after he or she has registered with the Eligibility Center and the Eligibility Center has received an institution's request to add the prospective student-athlete to the institution's institutional request list; further, to specify that the Eligibility Center shall provide notification of initial-eligibility standards, the banned drug list and information about nutritional supplements to a prospective student-athlete after he or she has registered with the Eligibility Center.	Big 12 Conference.	August 01, 2010
2008-22	RECRUITING -- PRINTED RECRUITING MATERIALS --	To specify that an institutional postcard may be provided to a prospective student-	Big 12 Conference.	August 01, 2009

	INSTITUTIONAL POSTCARDS	athlete, his or her parents or legal guardians, his or her coach or any other individual responsible for teaching or directing an activity in which a prospective student-athlete is involved, provided its dimensions do not exceed 4 1/4 by 6 inches, it contains only the institution's name and logo or an athletics logo on one side when produced and it includes only handwritten information, (e.g., words, illustrations) on the opposite side when provided to a prospective student-athlete.		
2008-23	RECRUITING -- RECRUITING MATERIALS -- ELECTRONIC TRANSMISSIONS -- AFTER NATIONAL LETTER OF INTENT SIGNING OR OTHER WRITTEN COMMITMENT	To specify that after the calendar day on which a prospective student-athlete signs a National Letter of Intent (NLI), signs an institution's written offer of admission and/or financial aid, or submits a room or tuition deposit in response to the institution's written offer of admission, there shall be no limit on the forms of electronically transmitted	Southern Conference.	Immediate

		correspondence sent by the institution with which the prospective student-athlete has committed.		
2008-24	RECRUITING -- RECRUITING MATERIALS -- OTHER RECRUITING MATERIALS POSTED TO INSTITUTION'S WEB SITE	To permit an institution to print and provide other recruiting information that is posted on its Web site to prospective student-athletes via regular mail as attachments to general correspondence or electronic mail, via facsimile or during any permissible on- or off-campus contact.	Atlantic Coast Conference.	Immediate
2008-25-A	RECRUITING -- OFFICIAL VISIT AND LETTER OF INTENT PROGRAMS -- REQUIREMENTS FOR OFFICIAL VISIT AND OFFERS OF ATHLETICALLY RELATED FINANCIAL AID -- COMPLETION OF AMATEURISM CERTIFICATION QUESTIONNAIRE	To specify that a high school, preparatory school or transfer (if applicable) prospective student-athlete must complete the amateurism certification questionnaire administered by the NCAA Eligibility Center before an institution may provide the prospective student-athlete an official visit; further, to specify that an institution shall not provide a high school, preparatory school or transfer prospective student-athlete a written offer of athletically related financial aid until he or	NCAA Division I Academics/Eligibility /Compliance Cabinet (Subcommittee on Agents and Amateurism and Subcommittee on Recruiting).	August 01, 2009

		she has completed the amateurism certification questionnaire with the Eligibility Center.		
2008-25-B	RECRUITING -- LETTER OF INTENT PROGRAMS -- REQUIREMENTS FOR OFFERS OF ATHLETICALLY RELATED FINANCIAL AID -- COMPLETION OF AMATEURISM CERTIFICATION QUESTIONNAIRE	To specify that an institution shall not provide a high school, preparatory school or transfer (if applicable) prospective student-athlete a written offer of athletically related financial aid until he or she has completed the amateurism certification questionnaire administered by the NCAA Eligibility Center.	NCAA Division I Awards, Benefits, Expenses and Financial Aid Cabinet.	August 01, 2009
2008-26	RECRUITING -- OFFICIAL VISIT -- MEALS ON OFFICIAL VISIT -- MEALS AT AIRPORT OR BUS OR TRAIN STATION	To specify that meals may be provided to a prospective student-athlete on an official visit at the airport or bus or train station at the time of his or her arrival or departure.	Big 12 Conference.	Immediate
2008-27	RECRUITING -- UNOFFICIAL VISIT -- HOUSING -- LODGING IN DORMITORIES -- ADDITIONAL RESTRICTION -- WOMEN'S LACROSSE	In women's lacrosse, to specify that an institution's athletics department staff member shall not arrange lodging for a prospective student-athlete on an unofficial visit in an enrolled student-athlete's residence (e.g., dormitory room, apartment) until August 1 following the	Ivy Group.	Immediate

		prospective student-athlete's junior year in high school.		
2008-28	RECRUITING -- FINANCIAL AID AGREEMENTS -- OFFERS OF AID BEFORE JULY 1 FOLLOWING JUNIOR YEAR -- WOMEN'S LACROSSE	In women's lacrosse, to specify that an institution shall not offer (or indicate that it will or may offer), orally or in writing, athletically related financial aid, other institutional financial aid or admissions assistance before July 1 following the prospective student-athlete's junior year in high school; further, to specify that an institution shall not accept any commitment from a prospective student-athlete before July 1 following the prospective student-athlete's junior year in high school.	Ivy Group.	August 01, 2009
2008-29	RECRUITING -- TRYOUTS -- EXCEPTIONS -- VOLUNTARY SUMMER CONDITIONING -- SPORTS OTHER THAN FOOTBALL AND BASKETBALL	In sports other than football and basketball, to specify that a prospective student-athlete may engage in voluntary summer workouts conducted by an institution's strength and conditioning coach with department-wide duties and may receive workout apparel (on an issuance and retrieval basis), provided he or she is enrolled in the	Southeastern Conference.	Immediate

		institution's summer term prior to the student's initial full-time enrollment at the certifying institution.		
2008-30	RECRUITING -- SPORTS CAMPS AND CLINICS -- EMPLOYMENT AT CAMP OR CLINIC -- HIGH SCHOOL, PREPARATORY-SCHOOL TWO-YEAR COLLEGE COACHES OR OTHER INDIVIDUALS INVOLVED WITH PROSPECTIVE STUDENT-ATHLETES -- EMPLOYMENT AS SPEAKER -- BASKETBALL	In basketball, to specify that an institution shall not employ (either on a salaried or a volunteer basis) a speaker in any basketball camp or clinic (including a coaches clinic or a camp or clinic involving nonprospects) who is involved in coaching prospective student-athletes or is associated with a prospective student-athlete as a result of the prospective student-athlete's participation in basketball; further, to specify that such an individual may be employed as a camp counselor, but may not perform speaking duties other than those normally associated with camp counselor duties (e.g., skill instruction).	NCAA Division I Championships/Competition Cabinet (Men's Basketball Issues Committee).	Immediate
2008-31	RECRUITING -- USE OF RECRUITING FUNDS -- RECRUITING SERVICES -- VIDEO SERVICES	To eliminate the requirement that off-campus observation of a prospective student-athlete on a video that is made available by a scouting service be	Big 12 Conference.	Immediate

		considered an evaluation activity subject to applicable evaluation regulations.		
2008-32	ELIGIBILITY -- GENERAL ELIGIBILITY REQUIREMENTS -- FULL-TIME ENROLLMENT -- REQUIREMENT FOR COMPETITION -- NONTRADITIONAL COURSES	To specify that enrollment in a nontraditional course (e.g., distance-learning, correspondence, extension, Internet courses, independent study or any other course or credit that is not earned in a typical face-to-face classroom environment with regular contact hours between the instructor and the student) offered by the certifying institution may be used to satisfy the full-time enrollment requirement for competition, provided the specified conditions are met.	NCAA Division I Academics/Eligibility /Compliance Cabinet (Subcommittee on Continuing Eligibility).	August 01, 2009
2008-33	ELIGIBILITY -- SEASONS OF COMPETITION -- FIVE-YEAR RULE -- CRITERIA FOR DETERMINING SEASON OF ELIGIBILITY -- DELAYED ENROLLMENT -- WOMEN'S VOLLEYBALL	In women's volleyball, to specify that a student-athlete who does not initially enroll full time in a collegiate institution within one year following the high school graduation date of the student-athlete's class and participates in organized events after the one-year period, shall be charged with a season of intercollegiate competition for each	NCAA Division I Academics/Eligibility /Compliance Cabinet (Subcommittee on Continuing Eligibility).	August 1, 2010, for student-athletes initially enrolling full time in a collegiate institution on or after August 1, 2010.

		year of participation and shall fulfill an academic year in residence on matriculation at the certifying institution before being eligible to represent the institution in intercollegiate competition.		
2008-34	ELIGIBILITY -- FRESHMAN ACADEMIC REQUIREMENTS -- CORE CURRICULUM TIME LIMITATION -- STUDENTS WITH EDUCATION IMPACTING DISABILITIES	To specify that if a prospective student-athlete with a diagnosed education-impacting disability graduates from high school within the core-curriculum time limitation, he or she may use up to three core courses completed after high school graduation to satisfy the core-curriculum or minimum grade-point average requirements, or both.	NCAA Division I Academics/Eligibility /Compliance Cabinet (Subcommittee on Initial-Eligibility Issues).	August 1, 2009, for student-athletes initially enrolling full time in a collegiate institution on or after August 1, 2009.
2008-35	ELIGIBILITY -- PROGRESS-TOWARD-DEGREE REQUIREMENTS -- REGULATIONS FOR ADMINISTRATION OF PROGRESS TOWARD DEGREE -- NONTRADITIONAL COURSES	To specify that nontraditional courses (e.g., distance-learning, correspondence, extension, Internet courses, independent study or any other course or credit that is not earned in a typical face-to-face classroom environment with regular contact hours between the instructor and the student) completed at a four-year institution other	NCAA Division I Academics/Eligibility /Compliance Cabinet (Subcommittee on Continuing Eligibility).	August 01, 2009

		than the certifying institution, may be used to meet credit hour and percentage-of-degree requirements, provided the specified conditions are met.		
2008-36	ELIGIBILITY -- PROGRESS-TOWARD-DEGREE REQUIREMENTS -- ELIGIBILITY FOR COMPETITION -- INTERNATIONAL COMPETITION WAIVER -- USE OF CREDITS EARNED	To specify that credits earned by a student during the term or terms to which an international competition waiver applies may be used to satisfy the 24/36 hour, percentage-of-degree and grade-point average progress-toward degree requirements.	Big 12 Conference.	August 01, 2009
2008-37	ELIGIBILITY -- TRANSFER REGULATIONS -- EXCEPTIONS FOR TRANSFERS FROM FOUR-YEAR COLLEGES -- CHURCH MISSION	To eliminate the church mission exception to the transfer residence requirement for transfers from four-year colleges.	Western Athletic Conference.	August 01, 2009
2008-38	ELIGIBILITY -- TRANSFER REGULATIONS -- FOUR-YEAR COLLEGE TRANSFERS -- COMPETITION AND RECEIPT OF ATHLETICALLY RELATED FINANCIAL AID IN YEAR OF TRANSFER --	In tennis, to specify that a transfer student from a four-year institution who enrolls at the certifying institution as a full-time student after the conclusion of the first term of the academic year and qualifies for an exception to the one-year residence requirement shall not	NCAA Division I Academics/Eligibility /Compliance Cabinet (Subcommittee on Continuing Eligibility).	August 01, 2010

	TENNIS	be eligible for competition until the following academic year if he or she has competed during the same academic year and received athletically related financial aid during the same academic year from the previous four-year institution.		
2008-39	ELIGIBILITY -- OUTSIDE COMPETITION, EFFECTS ON ELIGIBILITY -- EXCEPTION -- CONFERENCE ALL-STAR COMPETITION AGAINST U.S. NATIONAL TEAM -- WOMEN'S ICE HOCKEY	In women's ice hockey, to specify that a student-athlete may compete during the academic year as a member of a conference all-star team in up to two contests against the U.S. Women's National Ice Hockey Team in the 12 months prior to the Winter Olympic Games, provided the student-athlete is academically eligible for competition at the time of the competition.	Ivy Group.	Immediate
2008-40	FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID LIMITATIONS BY SPORT -- WOMEN'S VOLLEYBALL	In women's volleyball, to increase the maximum institutional grant-in-aid limitation from 12 to 13.	Pacific-10 Conference.	August 01, 2009
2008-41	FINANCIAL AID -- MAXIMUM INSTITUTIONAL GRANT-IN-AID	In baseball, to increase the annual limit on the value of financial aid awards (equivalencies)	Southeastern Conference.	August 01, 2009

	LIMITATIONS BY SPORT -- BASEBALL	to counters from 11.7 to 14.		
2008-42	AWARDS, BENEFITS AND EXPENSES -- COMPLIMENTARY ADMISSIONS AND TICKET BENEFITS -- POSTSEASON EVENTS	To specify that an institution may provide each student-athlete who participates in or is a member of a team participating in a postseason event (e.g., conference championship, NCAA championship, National Invitation Tournament, bowl game) with six complimentary admissions to all intercollegiate athletics events at the site at which the student (or team) participates.	Big Ten Conference.	August 01, 2009
2008-43	AWARDS, BENEFITS AND EXPENSES -- HOUSING AND MEALS -- FRUIT, NUTS AND BAGELS	To specify that an institution may provide fruit, nuts and bagels to student-athletes at any time.	Atlantic Coast Conference.	August 01, 2009
2008-44	AWARDS, BENEFITS AND EXPENSES -- EXPENSES PROVIDED BY THE INSTITUTION FOR PRACTICE AND COMPETITION -- DEPARTURE/RETURN EXPENSE RESTRICTIONS -- EXCEPTIONS -- TRAVEL	To specify that return transportation following contests in NCAA championship events, national governing body championships in emerging sports or licensed postseason football games that take place during the institution's official vacation period during the academic year or	Atlantic Coast Conference.	Immediate

	FOLLOWING CHAMPIONSHIPS EVENTS AND POSTSEASON FOOTBALL GAMES	between regular academic terms are exempt from the requirement that a student-athlete remain no longer than 36 hours following the conclusion of the competition in order to receive actual and necessary expenses to return to campus.		
2008-45	PLAYING AND PRACTICE SEASONS -- GENERAL REGULATIONS -- SKILL INSTRUCTION -- SPORTS OTHER THAN FOOTBALL -- CONCURRENT SESSIONS	In sports other than football, to specify that prior to September 15 and after April 15, no more than four student-athletes from the same team may be involved in skill-related instruction with their coaches at any one time in any one facility.	Big 12 Conference.	Immediate
2008-46	PLAYING AND PRACTICE SEASONS -- BASEBALL -- PRESEASON PRACTICE AND FIRST CONTEST -- CHAMPIONSHIP SEGMENT	In baseball, to specify that in the championship segment, an institution shall not commence practice sessions prior to the Friday that is three weeks prior to the first permissible contest date for the championship segment and shall not play its first contest (game or scrimmage) with outside competition prior to the Friday in February that is 14 weeks before the Friday immediately	Conference USA.	Immediate

		preceding Memorial Day.		
2008-47	PLAYING AND PRACTICE SEASONS -- BASEBALL -- MAXIMUM NUMBER OF CONTESTS -- 52 DURING THE CHAMPIONSHIP SEGMENT AND FOUR DURING THE NONCHAMPIONSHIP SEGMENT	In baseball, to specify that an institution shall limit its total playing schedule with outside competition during the institution's playing season to 52 contests (games and scrimmages) during the championship segment and four contests (games and scrimmages) during the nonchampionship segment.	Pacific-10 Conference.	August 01, 2009
2008-48	PLAYING AND PRACTICE SEASONS -- BASEBALL -- MAXIMUM NUMBER OF CONTESTS -- 52	In baseball, to reduce the maximum number of contests from 56 to 52.	Pacific-10 Conference, Big South Conference and West Coast Conference.	August 01, 2009
2008-49	PLAYING AND PRACTICE SEASONS -- BASKETBALL -- FIRST CONTEST -- EXCEPTIONS -- INFORMAL PRACTICE SCRIMMAGES -- NO MISSED CLASS TIME	In basketball, to specify that no class time shall be missed in conjunction with an informal practice scrimmage, including activities associated with such scrimmages (e.g., travel, pregame and postgame activities).	NCAA Division I Championships/Competition Cabinet (Men's Basketball Issues Committee) (Playing and Practice Seasons Subcommittee).	August 01, 2009
2008-50	PLAYING AND PRACTICE SEASONS -- WOMEN'S BASKETBALL -- FIRST CONTEST EXCEPTIONS AND ANNUAL	In women's basketball, to eliminate the exception to the first contest date and the annual exemptions for exhibition contests against club members of USA Basketball and	Big East Conference.	August 1, 2009; contracts signed before August 15, 2008 may be honored.

	EXEMPTIONS -- FOREIGN TEAM IN U.S. AND USA BASKETBALL CLUB	foreign teams in the U.S.		
2008-51	PLAYING AND PRACTICE SEASONS -- PRESEASON PRACTICE -- CROSS COUNTRY, FIELD HOCKEY, WOMEN'S RUGBY, SOCCER, WOMEN'S VOLLEYBALL AND MEN'S WATER POLO	In cross country, field hockey, women's rugby, soccer and men's water polo, to specify that an institution shall not commence practice sessions before 16 days prior to the date on which the first permissible contest or date of competition may occur; further, in women's volleyball, to specify that an institution shall not commence practice sessions before 20 days prior to the date on which the first permissible contest may occur.	West Coast Conference.	August 01, 2009
2008-52	PLAYING AND PRACTICE SEASONS -- FOOTBALL -- PRESEASON PRACTICE -- LIMIT ON NUMBER OF PARTICIPANTS -- REPLACEMENT OF STUDENT-ATHLETE DUE TO INJURY OR ILLNESS	In football, to specify that a student-athlete who sustains an injury or illness that prevents further participation in preseason practice activities may be replaced with another student-athlete without including that individual in the institution's limitation on the number of individuals who may participate in preseason practice.	Southeastern Conference.	Immediate

2008-53	PLAYING AND PRACTICE SEASONS -- GOLF -- MAXIMUM CONTEST LIMITATIONS -- DETERMINATION OF DATE OF COMPETITION	In golf, to eliminate the provision by which an institution is considered to have used a date of competition if one or more student-athletes participate on behalf of the institution on a particular date.	Big 12 Conference.	August 01, 2009
2008-54	PLAYING AND PRACTICE SEASONS -- GOLF -- ANNUAL EXEMPTIONS -- HAWAII OR ALASKA	In golf, to specify that any dates of competition in Hawaii or Alaska either against or under the sponsorship of an active Division I member located in Hawaii or Alaska, by a member located outside the area in question are exempted from the maximum number of dates of competition.	Western Athletic Conference.	August 01, 2009
2008-55	PLAYING AND PRACTICE SEASONS -- WOMEN'S SOCCER -- FIRST CONTEST OR DATE OF COMPETITION -- 12-WEEK SEASON	In women's soccer, to specify that an institution shall not play its first contest or engage in its first date of competition (game) with outside competition prior to the 12th weekend prior to the start of the women's soccer championship.	Atlantic Coast Conference.	August 01, 2009
2008-56	PLAYING AND PRACTICE SEASONS -- TENNIS -- MAXIMUM NUMBER OF	In tennis, to increase from three to four the number of student-athletes who may participate in an individual singles or	NCAA Division I Championships/Competition Cabinet (Playing and Practice Seasons Subcommittee).	August 01, 2009

	DATES OF COMPETITION -- INDIVIDUAL SINGLES OR DOUBLES TOURNAMENT LIMITATIONS -- NUMBER OF PARTICIPANTS	doubles tournament without counting the event as one of the institution's dates of competition.		
2008-57	PLAYING AND PRACTICE SEASONS -- TRACK AND FIELD -- SAFETY EXCEPTION -- HURDLES AND STEEPLECHASE	To specify that a coach may be present during voluntary individual workouts in the institution's regular practice facility (without the workouts being considered as countable athletically related activities) when the student-athlete is engaged in jumping hurdles or the jumping element of the steeplechase.	Big 12 Conference.	Immediate
2008-58	CHAMPIONSHIPS AND POSTSEASON FOOTBALL -- CRITERIA FOR ESTABLISHMENT OR CONTINUATION OF CHAMPIONSHIPS -- MINIMUM SPONSORSHIP FOR CHAMPIONSHIPS -- WOMEN'S SPORTS	To specify that a National Collegiate Championship or a division championship may be established in a women's sport if at least 40 institutions sponsor the sport.	NCAA Division I Management Council (Administrative Committee) (Committee on Women's Athletics).	Immediate
2008-59	DIVISION MEMBERSHIP -- DEFINITIONS AND	To add sand volleyball as an emerging sport for women; further, to	NCAA Division I Management Council (Administrative	August 1, 2009, for the removal of

	APPLICATIONS -- EMERGING SPORTS FOR WOMEN -- ARCHERY, BADMINTON, SYNCHRONIZED SWIMMING, TEAM HANDBALL AND SAND VOLLEYBALL	remove archery, badminton, synchronized swimming and team handball as emerging sports for women and to eliminate other specified legislation associated with these sports (e.g., playing and practice season regulations, sports sponsorship minimum contest and participant requirements).	Committee) (Committee on Women's Athletics).	archery, badminton, synchronized swimming and team handball; August 1, 2010 for the addition of sand volleyball.
2008-60	DIVISION MEMBERSHIP -- PROVISIONAL MEMBERSHIP PROCESS AND REQUESTING RECLASSIFICATION -- INSTITUTIONS SUBJECT TO ACADEMIC PERFORMANCE PROGRAM PENALTIES	To specify that the NCAA Division I Administration Cabinet may deny an institution's advancement to active Division I membership for any Division II institution seeking reclassification to Division I or any provisional member seeking active Division I status, if any of the institution's sport programs are subject to penalties pursuant to the NCAA Division I Academic Performance Program.	NCAA Division I Management Council (Membership Subcommittee).	August 1, 2009; applicable to institutions in the provisional or reclassifying processes as of August 1 2009, and those beginning either process on or after August 1, 2009.
2008-61	COMMITTEES -- DIVISION I CABINETS AND COMMITTEES -- WOMEN'S SOCCER COMMITTEE -- COMPOSITION --	To specify that the composition of the NCAA Division I Women's Soccer Committee shall include one member from each of the eight Division I women's	NCAA Division I Championships/Competition Cabinet.	Immediate

	REGIONS	soccer regions and two members selected at large.		

2008-62	COMMITTEES -- COMMITTEES REPORTING TO BOARD OF DIRECTORS -- DIVISION I PRESIDENTIAL ADVISORY GROUP -- DUTIES -- LEGISLATIVE ISSUES	To specify that members of the NCAA Division I Presidential Advisory Group who represent Football Championship Subdivision conferences shall have the authority to act on behalf of the Football Championship Subdivision members of the Board of Directors on legislative issues that relate to championship subdivision football, subject to review by the full Board of Directors.	NCAA Division I Management Council (Governance Subcommittee).	Immediate
2008-63	DIVISION MEMBERSHIP -- MEMBERSHIP REQUIREMENTS -- MINIMUM PARTICIPANTS REQUIREMENTS FOR SPORTS SPONSORSHIP -- TRACK AND FIELD -- MULTI-DAY MEETS	In track and field, to specify that if the number of student-athletes participating in a multi-day meet on behalf of the institution over the course of the entire meet equals or exceeds the minimum number of participants required for sports sponsorship and the meet is conducted on consecutive days, an institution may use the competition as a contest in meeting the minimum-contest requirements.	Big East Conference.	August 01, 2009

2008-64	DIVISION MEMBERSHIP -- MEMBERSHIP REQUIREMENTS -- FOOTBALL BOWL SUBDIVISION REQUIREMENTS -- WAIVERS	To specify that the members of the NCAA Division I Administration Cabinet representing NCAA Division I Football Bowl Subdivision (FBS) conferences, by a two-thirds majority of those members present and voting, may grant waivers of the FBS membership requirements.	Conference USA.	Immediate
2008-65	ADMINISTRATIVE REGULATIONS -- FOREIGN TOURS AND COMPETITION -- TIMING OF TOUR -- PROHIBITION DURING ACADEMIC YEAR LABOR DAY VACATION PERIOD	To specify that an institution shall not participate in a foreign tour that occurs in conjunction with a Labor Day academic year vacation period.	NCAA Division I Management Council (Administrative Review Subcommittee).	August 1, 2009; however, institutions may honor a contract beyond this date if a contract for participation was signed before April 14, 2008.
2008-66	ADMINISTRATIVE REGULATIONS -- RECRUITING CALENDARS -- FOOTBALL -- DEAD PERIOD	In football, to specify that an institution shall designate two weeks (not required to be consecutive) during the months of June and July as a dead period.	Big Ten Conference.	Immediate
2008-67	ADMINISTRATIVE REGULATIONS -- RECRUITING CALENDARS -- SOFTBALL -- CONTACT PERIOD AUGUST 1 THROUGH THE DAY PRIOR TO	In softball, to establish a contact period from August 1 through the day prior to Thanksgiving Day.	Big East Conference.	Immediate

	THANKSGIVING DAY			

2008-68	ADMINISTRATIVE REGULATIONS -- RECRUITING CALENDARS -- WOMEN'S LACROSSE -- FALL EVALUATIONS	In women's lacrosse, to specify that during the fall contact period, evaluations of prospective student-athletes participating in lacrosse activities who have not started their senior year in high school are limited to the three weekends prior to Thanksgiving.	Ivy Group.	August 01, 2009
2008-69	ADMINISTRATIVE REGULATIONS -- SUMMER BASKETBALL LEAGUES AND CERTIFIED BASKETBALL EVENTS -- ADDITIONAL CRITERIA -- APPROVAL OF EVENT AND LEAGUE OPERATORS -- BASKETBALL	In basketball, to specify that in order for a summer basketball league or a basketball event to be certified, the event or league operator or manager must be approved in accordance with guidelines established by the NCAA basketball certification staff.	NCAA Division I Championships/Competition Cabinet (Men's Basketball Issues Committee).	Immediate
2008-70	EXECUTIVE REGULATIONS -- SELECTION OF TEAMS AND INDIVIDUALS FOR CHAMPIONSHIPS PARTICIPATION -- AUTOMATIC QUALIFICATION -- ADDITIONAL REQUIREMENTS,	In sports other than men's basketball, to specify that for the purposes of multisport conference eligibility for automatic qualification in a particular sport, a core institution is an institution that has been an active member of Division I during the	Mid-American Conference.	Immediate (for the 2009-10 academic year championships).

	SPORTS OTHER THAN MEN'S BASKETBALL -- MULTISPORT CONFERENCE -- DEFINITION OF CORE INSTITUTION	eight preceding years or an institution that has sponsored the sport at the Division I level the eight preceding years.		
2008-71	EXECUTIVE REGULATIONS -- SELECTION OF TEAMS AND INDIVIDUALS FOR CHAMPIONSHIPS PARTICIPATION -- AUTOMATIC QUALIFICATION --ADDITIONAL REQUIREMENTS, SPORTS OTHER THAN MEN'S BASKETBALL -- MULTISPORT CONFERENCE -- EXCEPTION -- MEMBER THAT HAS SPONSORED THE SPORT AT THE DIVISION I LEVEL THE EIGHT PRECEDING YEARS	In sports other than men's basketball, to specify that a multisport conference that falls below six core members may be considered for automatic qualification in that sport, provided the conference adds an institution to its membership (for a total of at least six members) that has sponsored the sport for the preceding eight years at the Division I level and at least six institutions (including the added institution) have conducted conference competition together at the Division I level in the sport the preceding two years.	Mid-American Conference.	Immediate (for the 2009-10 academic year championships).
2008-72	EXECUTIVE REGULATIONS -- SELECTION OF TEAMS AND INDIVIDUALS FOR CHAMPIONSHIPS PARTICIPATION -- AUTOMATIC QUALIFICATION -	In sports other than men's basketball, to specify that a multisport conference that adds a conference-sponsored sport may be considered for automatic qualification in that sport, provided at least six institutions	Mid-American Conference.	Immediate (for the 2009-10 academic year championships).

	- ADDITIONAL REQUIREMENTS, SPORTS OTHER THAN MEN'S BASKETBALL -- MULTISPORT CONFERENCE -- EXCEPTION -- SPORTS SPONSORSHIP	have conducted conference competition together at the Division I level for the preceding two years and the sport is sponsored by less than 65 percent of the Division I membership.		
2008-73	EXECUTIVE REGULATIONS -- NATIONAL STATISTICS PROGRAM	To specify that the NCAA Division I Championships/Sports Management Cabinet shall oversee the national statistics program and approve its policies and procedures; further, to specify that the policies and procedures shall be published on the NCAA Web site.	NCAA Division I Championships/Competition Cabinet.	Immediate
2008-74	PLAYING AND PRACTICE SEASONS -- BASEBALL -- FIRST CONTEST -- CHAMPIONSHIP SEGMENT -- ALUMNI CONTEST	In baseball, to permit an alumni contest to be conducted the weekend prior to the first permissible contest date of the championship segment.	Big West Conference.	August 01, 2009

Progress Report of the Division I Men's Basketball Academic Enhancement Group (As of May 27, 2008)

Background.

During its April 2007, meeting, the NCAA Division I Board of Directors approved the formation of an NCAA Division I Men's Basketball Academic Enhancement Group, a working group composed of presidents and chancellors, head coaches, commissioners, directors of athletics and faculty athletics representatives, which was established to develop strategies to enhance academic performance and graduation rates in NCAA Division I men's basketball. Graduation rates in men's basketball are among the lowest in Division I, and the then impending elimination of the small squad adjustment was expected to further impact the sport. The academic preparation of men's basketball student-athletes is unique from many other sports, and overall, they are less prepared academically than student-athletes who participate in other sports. It was essential, therefore, that NCAA constituent groups work together to evaluate the causes and develop meaningful strategies to improve academic performance. The success of a similar group in baseball and discussions involving head basketball coaches and representatives of several governance committees and NCAA staff at the 2007 Men's Final Four supported the establishment of the Division I Men's Basketball Academic Enhancement Group as a meaningful step toward identifying solutions.

The Division I Men's Basketball Academic Enhancement Group was directed to develop appropriate recommendations for consideration by the Division I membership within a timeline of approximately 12 to 18 months. The group was provided a charge to:

1. Analyze available data, research and literature regarding the academic performance trends of Division I men's basketball student-athletes.

2. Identify characteristics and factors in the sport that may be serving to impair the academic performance of Division I men's basketball student-athletes.

3. Identify changes that would enhance academic progress and graduation rates in Division I men's basketball.

4. Submit to the Division I Board of Directors, no later than the end of 2008, a set of recommendations and proposals that would enhance APR and graduation rates in Division I men's basketball.

5. Maintain ongoing communication with, and seek reactions from, the NCAA governance structure, and the National Association of Basketball Coaches [NABC] membership and conference offices during the course of the project.

The Division I Men's Basketball Academic Enhancement Group conducted its initial meeting in Indianapolis at the national office in August 2007, and agreed that the project could most

effectively be accomplished through the use of subcommittees. The following subcommittees were formed and charged with identifying and developing potential solutions, legislative and non-legislative, for consideration by the full group.

1. Subcommittee on Academic Preparation and Academic Support.

2. Subcommittee on Coach/Player Relationships.

3. Subcommittee on Playing and Practice Seasons.

4. Subcommittee on Transfers – Both Incoming and Outgoing.

5. Subcommittee on the 0 for 2 Phenomenon.

The subcommittees have conducted several meetings, both in-person and by conference call and have developed preliminary recommendations/solutions specific to their respective areas. During its April 25th in-person meeting the full group again convened and discussed the subcommittee's recommendations in detail, offered additional comments and suggestions and began to develop some preliminary consensus positions on some of the recommended solutions. The following information sets forth the current progress of the Division I Men's Basketball Academic Enhancement Group to date. It should be emphasized that this is a progress report and many of the recommendations as well as consensus positions are likely to undergo additional discussion and consideration prior to being put forth as a final recommendation/position of the full group. Continued discussion will occur during the summer as well as solicitation of feedback from various constituencies in the Division I governance structure. The Division I Men's Basketball Academic Enhancement Group is scheduled to convene as full group on August 8th , at which time it is anticipated that the group will be prepared to make final recommendations. A final report including the group's recommendations will be prepared shortly thereafter and provided to the Board of Directors for consideration at its October 30th meeting.

<u>Recommendations Receiving Preliminary Support</u>.

1. **Proposed Academic Preparation, Enhancement and Summer Access Model - Mandatory Summer School**.

Background and Rationale. The full group supported a proposed academic preparation and enhancement model that involves summer school attendance and summer access for Division I men's basketball student-athletes. The primary intent of this recommendation is to increase academic performance. It is important to emphasize athletics access that has an academic nexus tied to it. This model proposes a playing and practice season structure that is designed to encourage greater academic commitment, while also providing an opportunity for coaches and student-athletes to interact and enhance the coach/player relationship throughout the academic year and summer.

Data reviewed by the group indicates that student-athletes who enroll in summer school, particularly early in their academic career are far likely to make appropriate academic progress toward their degrees during their playing career. [See Attachment No.1], In addition, a survey of Division I men's basketball student-athletes attending summer school revealed that time spent on athletically related activities while enrolled in summer school has been approximately 10-11 hours on a weekly basis. Thus, the ability to engage in such activities in a more structured environment under the supervision of the coaching staff will not increase the status quo during the summer, but could prove beneficial in the establishing a stronger coach/player relationship in a less pressured environment. A definition of summer access and summer school requirements have been included to assist in understanding a practical application of the model. It is designed both for individuals during the summer prior to initial full-time enrollment and continuing student-athletes.

a. **Summer School Requirements.** Current financial aid legislation permits institutions to provide athletics aid for the summer prior to initial full-time enrollment under several conditions in NCAA Bylaw 15.2.8.1.4. Further, NCAA Bylaw 15.2.8 and its subsections, outline legislation related to summer financial aid for enrolled student-athletes.

The proposed definition of required summer school includes a requirement that all student-athletes, who have signed financial aid agreements to receive athletically related financial aid for the ensuing regular academic year, be enrolled in a minimum of six hours of acceptable degree credit. Consistent with the provisions of Bylaw 14.4.3.4.4, such hours may include remedial courses, provided the courses are prerequisites for specific courses acceptable for any degree program. Institutions that offer athletically related financial aid would be required to provide financial aid to these student-athletes to attend the summer session. Further, institutions must provide such student-athletes life skills education (e.g., course, seminar, training session). The provisions of NCAA Bylaw 15.2.8.1.4 would continue to apply to individuals during the summer prior to initial full-time enrollment, except that such an individual would be permitted to engage in athletics activities, as defined in the ensuing section entitled, "Definition of Summer Access.".

An exception would be provided to those institutions that do not offer summer courses to the general student body. However, such institutions would not be able to take advantage of the summer athletics access component of this model. Further, institutions that offer summer courses, but do not offer any athletically related financial aid [e.g., award only need-based aid] would have two options. The first option would be to use the previously noted exception applicable to institutions that do not offer summer courses to the general student body. Institutions electing to use this option would not be required to award summer financial aid, but also would be prohibited from participation in summer athletics access. The second option would be available for those institutions who wish to participate in the summer athletics access. These institutions would be subject to the mandatory summer aid requirement for those recruited student-athletes who qualify for nonathletically related aid to attend the summer session. The summer athletics access provisions of this model would be applicable to those student-athletes enrolled in a minimum of six hours of acceptable degree credit and who are receiving nonathletically related financial assistance or covering their own cost of summer school.

b. **Definition of Summer Access.** Under current legislation, coaches and student-athletes are limited in the amount of time spent on athletics activities and the nature of those activities during the regular academic year and institutional vacation periods, including the summer. Specifically, it is not permissible for coaches and student-athletes to participate in countable athletically related activities during the summer vacation period.

The definition of summer access for this model is based on the use of required weight training, conditioning and individual skill instruction as avenues for summer athletics access. Individual skill instruction provides an opportunity for student-athletes and coaches to work together to improve aspects of the student-athletes' individual skill in a more intimate structure. The focus on individual skill instruction addresses concerns from the men's basketball community regarding the importance of increased access to student-athletes during the summer, but prevents full team practice on a year-round basis.

The proposed definition would permit the allocation of eight hours per week as the maximum number of hours per week in which it would be permissible to engage in these activities, with no more than two hours devoted to skill-related instruction. This length of time is consistent with current legislation governing athletics activities outside the playing season during the academic year. Based on current legislation, the membership appears to accept eight hours per week as a reasonable balance between the academic and athletic needs of student-athletes while not imposing an undue burden on their time. Similarly, while cognizant of time demands issues that also exist during the summer, this proposed definition does not exceed eight required

hours per week in order to provide student-athletes sufficient time to engage in other pursuits.

In addition to identifying the appropriate maximum number of hours per week, the number of weeks during the summer in which access shall be permitted should be considered in the same manner. The proposed definition would specify a period of eight weeks of access at the institution's discretion. For comparison purposes, the identification of an eight-week period presents a consistent length of time as provided for in the football summer conditioning period. Consideration should also be given to academic needs and other time demands concerns in determining the eight-week period as appropriate for football. Likewise, the remaining time outside the eight-week period should be designated as student-athlete discretionary time as outlined in existing legislation in which a student-athlete can only participate in athletics activities at his or her discretion.

c. Summary of the Model's Concepts

(1) All institutions would be required to provide summer financial aid for incoming and continuing men's basketball student-athletes, who have signed financial aid agreements to receive athletically related financial aid for the ensuing regular academic year, as an additional financial aid requirement of Division I membership. Financial aid must be awarded for a minimum of six hours. Institutions whose financial aid package includes an exceptional amount of Pell Grant assistance would be required to provide one half of the value of the summer financial aid to each recruited men's basketball student-athlete who has signed a financial aid agreement for the ensuring regular academic year. [Note: An exceptional amount of Pell Grant assistance is defined as those institutions that in a given academic year have an average per-student allotment of Pell Grant dollars for undergraduate students reported to the U.S. Department of Education the previous September that is more than one standard deviation above the mean for all reporting Division I membership institutions for that year].

(2) Further, institutions would be required to provide such student-athletes life skills education (e.g., course, seminar, training session). Such educational activities should be organized in a manner to assist coaches with developing strategies for individual student-athletes, with a particular focus on career planning and "life after basketball" skills.

(3) Upon summer enrollment, incoming recruited men's basketball student-athletes, who have signed financial aid agreements for the ensuing regular academic year, would be considered student-athletes under all NCAA legislation.

Currently, under NCAA Bylaw 13.02.11.1, these individuals are not subject to contact regulations in Bylaw 13 and are considered student-athletes only for purposes of Bylaw 16. They are considered prospective student-athletes for the remainder of Bylaw 13 and all other bylaws.

(4) Enrollment in a minimum of six hours would be required as a prerequisite for athletics access during the summer. A waiver from the application of the mandatory attendances requirement would be available when unique circumstances preclude an incoming or continuing student-athlete from attending summer school. A student-athlete receiving a waiver of the mandatory attendance requirement would not be permitted to engage in the athletics access during the summer.

(5) A credit-hour requirement would be established such that incoming and continuing men's basketball student-athletes, who have signed financial aid agreements to receive athletically related financial aid for the ensuing regular academic year, would be required to satisfactorily complete a minimum of six hours of academic credit during the summer as a prerequisite for eligibility in the fall term. A student-athlete who is not eligible for competition in the fall, based on unsuccessful completion of at least six hours during the summer, would be permitted to regain eligibility at the conclusion of the fall term, provided he meets all other applicable progress-toward-degree regulations. [Note: A nonqualifier must still complete an academic year of residence before being eligible for competition; however, he would be eligible for summer financial aid and athletics access during the summer prior to initial full-time collegiate enrollment.]

(6) Discussions with the full group remain on-going as to whether institutions would be permitted to conduct required athletics activities [i.e., mandatory weight training, conditioning or individual skill-instruction] from the end of the institution's playing season until the week prior to the beginning of the institution's final examination period It would remain permissible for student-athletes to participate in voluntary weight training and conditioning supervised by a strength and conditioning coach only for health and safety purposes [Note: Institutions that do not offer summer courses to the general student body and institutions that do not provide athletically related financial aid to student-athletes [and elect to use the exception] would be permitted to conduct mandatory weight training, conditioning and skill instruction after the end of the playing season until the week prior to the beginning of the institution's final examination period].

2. Proposed Playing and Practice Season Model. The group supported the following playing and practice season model that provides for a slight reduction in the number of games, a staggered schedule for the start of team practice and other legislative modifications designed to minimize missed class time during the season. The group believes that the implementation of a basic scheduling philosophy with the key components listed below will reduce missed class time during the playing season.

a. <u>Preseason Conditioning and Practice</u>.

(1) Permissible Preseason Conditioning Activities (Beginning of academic year). The current rule that permits a men's basketball student-athletes to engage in a maximum of eight hours per week of conditioning or physical-fitness activities, of which not more than two hours may be spent on skill-related workouts, would remain unchanged.

(2) On-Court Team Practice Activities. Beginning October 1, instead of eight hours per week for conditioning or physical-fitness activities, an institution's men's basketball team shall be allowed to participate in activities as follows:

- October 1-7: Of the 8 hours per week allowed for strength/conditioning and/or skill instruction, allow coaches the option to conduct on-court practice for a maximum of 4 of the 8 hours. All countable athletically related activities shall be prohibited during two calendar days.

- October 8-14: Instead of 8 hours, increase the number of hours to 12 per week for strength/conditioning and/or skill instruction and allow coaches the option to conduct on-court practice for a maximum of 8 of the 12 hours. All countable athletically related activities shall be prohibited during two calendar days.

- October 15: Regular team practice begins with 20 hours per week, with one day off per week during which no countable athletically related activities shall occur. .

[Permitting institutions to utilize a "staggered schedule" for the start of team practice earlier (October 1 rather than mid-October) will allow: freshman student-athletes more time to become acclimated to college life, and for further

development of the coach/player relationship prior to the beginning of the traditional on-court team practice time.]

(3) **Missed Class Time Policies**. Policies must be implemented to limit missed class time due to athletics participation (e.g., student-athlete may not miss more than 10 percent of class meetings per semester due to athletics participation). Athletics participation schedules that include the amount of missed class time due to athletics participation must be approved prior to each semester by the faculty athletics representative or faculty oversight committee.

b. **Practice Scrimmages/Exhibition games**. The group **r**ecommended modifications to the current legislation regarding informal preseason scrimmages to specify that such practice scrimmages shall not result in missed class time allowed by the student-athletes of the participating institutions.

c. **Playing season**.

(1) An institution shall conduct regular-season games no earlier than start the Saturday prior to Thanksgiving.

(2) An institution shall conduct a maximum of 28 regular-season games over 14 weeks (two games per week for 14 weeks) or, a maximum of 26 games, if the institution participates in a Qualifying Regular-Season Multiple Team Event.

(3) An institution shall participate in no more than two games per week, except during holiday or vacation periods as defined in the institution's official catalog.

(4) An institution shall not participate in any games during the week of final exam period(s) as defined in the institution's official catalog.

(5) An institution shall not participate in more than one away from home regular season conference game Monday through Thursday of any given week.

3. Academic Progress Rate (APR) Policies.

Background and Rationale. Academic success within a particular sport or on specific teams likely occurs as a result of the interplay of many factors, including a student-athlete's academic profile, athletics time demands, personal factors (e.g., family finances), athletics opportunities

(e.g., playing time, professional departure) and the level of commitment to academic success by players, coaches, administrators and others. The ultimate academic casualty occurs when a student-athlete fails academically and separates from the institution. Under such circumstances, not only does an individual student-athlete fall off track, but his team also loses 2 of 2 possible NCAA Division I Academic Progress Rate (APR) points for his last academic term.

While the number of "0/2" student-athletes in NCAA Division I dropped over the last three years, the decrease occurred at a slower pace in the sport of men's basketball than in any other sport. By comparison, the number of "0/2" student-athletes in football and baseball dropped by 12 percent and 21 percent, respectively, from 2003-04 to 2005-06; however, the number of "0/2" student-athletes in men's basketball decreased by only 3%. Together, these three sports accounted for 49% of all "0/2" student-athletes nationally in 2005-06.

Trends in "0/2" performance by gender and ethnicity indicate higher percentages of male and ethnic minority student-athletes among those who depart and are ineligible to return. In addition, there are higher percentages of "0/2" student-athletes among those who transfer, particularly those who transfer from a two-year college to a four-year college. In each of the last three APR reporting years, between nine and 10 percent of two-year transfer student-athletes have lost both the eligibility (E) and retention (R) points for their teams.

General Observations Related to the Academic Progress of Division I Men's Basketball Student-Athletes.

a. **Stronger connections to Head Coach**. Men's basketball players seem to have stronger connections to their head coaches and/or a style of play than to their programs or their institutions overall.

b. **Head coaching change will occur when expectations are not met**. The subcommittee acknowledged there are times when a transition in personnel simply must be made for the short- and long-term health of the program. For example, institutional leadership may choose to replace a head coach to restore the program's competitive level, to make improvements to a team's APR, to turn around an unhealthy environment for players, or to meet expectations and goals of the institution and its alumni and supporters.

c. **The "margin of error" is different in men's basketball.** The subcommittee acknowledged that, in the sport of men's basketball, the academic performance of only one or two players can significantly impact a team's APR.

d. **Gravitational pull of professional basketball opportunities.** There are unique professional opportunities available to men's basketball student-athletes. Student-athletes may submit their names for consideration in the NBA annual draft at as long as they are at least 19 years of age during the calendar year in which the draft is held, and at least one NBA season has elapsed since the individual's graduation from high school. In addition to the NBA, there are numerous opportunities available to men's basketball student-athletes in international professional leagues. The subcommittee members discussed the difficulty in maintaining a level of academic engagement for these student-athletes once they have declared for the draft. The subcommittee members who coach these student-athletes indicated that there is a cultural expectation that they disengage academically once the basketball season has ended in order to prepare for the draft.

e. **Nature of the NBA tryout process.** The annual NBA draft traditionally occurs in June. Student-athletes who have declared their desire to be drafted often participate in tryouts and the annual pre-draft camp (late May/early June) that occurs between the conclusion of the basketball season and the draft. Again the topic of academic disengagement was discussed, as well as the concern that those who may want to remain engaged cannot due to the tryout schedule. The group also discussed the common practice of agents or advisors to recommend prospective professional basketball players leave their institutions to prepare for the pre-draft camps at some other location.

f. **Nature of the combine process for international leagues.** The tryout process for international leagues does not appear to be as organized as the NBA tryouts. There are professional league tryouts conducted in several countries from June through early September, but it is unclear how the schedule of those tryouts impacts a student-athlete's academic endeavors in his last term of enrollment prior to departing for the professional ranks. There is also a concern with this preparation that agents or advisors recommend that student-athletes leave their institutions to prepare for the tryouts.

The following are preliminary recommendations supported by the group related to the application of the Academic Progress Rate [APR] policies: [Note: Where applicable, the recommendations will be forwarded to the Committee on Academic Performance for consideration].

a. **Provide greater flexibility in the waiver and adjustment processes during head coaching transitions.** The NCAA Division I Basketball Academic Enhancement Group supports some relief in contemporaneous penalties when a coaching transition occurs and to include the possibility to discount the retention (R) point when circumstances can be documented to reflect an individual student-athlete's decision to leave an institution due to a coaching change. Given the institutional responsibility to foster an environment that supports student-athlete academic achievement and retention, the group was reluctant to recommend steps that would alter the NCAA

Division I Academic Progress Rate (APR) calculation in all instances of coaching transition.

b. **Revise the APR adjustment guidelines to be more flexible and to allow consideration of the student-athlete's level of academic engagement and achievement to the point of departure from the institution to pursue a professional athletics career, should that departure occur during his fourth year of collegiate enrollment.** Currently a student-athlete must have earned the eligibility (E) point in his last term of enrollment prior to departing the institution for the professional ranks in order for the institution to request an adjustment to the lost retention (R) point. Basically, the student-athlete has to be a "1/2" in order for the staff to consider granting an adjustment to the lost R point. However, in some instances (e.g., departures for foreign leagues) student-athletes must leave prior to the conclusion of the academic term in order to pursue professional opportunities. The subcommittee recommends providing relief specifically for a student-athlete in his fourth year of college enrollment. The staff will have to develop a means of assessing academic engagement and academic performance; however, consideration could be given to the student-athlete's APR point record for previous terms, his progress toward graduation and his level of academic engagement at the time of departure (e.g., class attendance, preliminary grades, completed assignments and faculty reports). This analysis could lead to APR adjustments (i.e., 1/1) in those cases in which student academic performance and engagement can be documented through class attendance records, preliminary grades, completed assignments and faculty reports.

c. **Revise the calculation of the APR to award an additional point as an incentive to motivate early graduation.** Currently, APR points are awarded on a term-by-term bases as follows: one point if the student-athlete is eligible for competition at the conclusion of the term (E), and one point if the student-athlete is retained the following term (R). At most, a student-athlete can accrue two points in one term, or "2/2." The subcommittee recommends the NCAA Division I Committee on Academic Performance modify this point calculation when a student-athlete completes a baccalaureate degree in less than four academic years. A similar accommodation could be provided for a student-athlete enrolled in a five-year baccalaureate degree program if he completes that program in less than five years. The subcommittee suggests when a student-athlete graduates ahead of schedule, the calculation include an additional point in the numerator. The early graduate would be considered a "3/2." Current policy stipulates that once a student-athlete graduates, the R point will continue to be awarded in all subsequent terms of enrollment. However, in order to earn the E point, the student-athlete must pass a minimal number of hours. Again, because of the nature of some professional opportunities, athletic and otherwise, some student-athletes do not complete terms after graduation or do not

complete them satisfactorily. Should a graduated student-athlete fail to earn the E point in a term of enrollment after graduation, the additional point that was earned due to an early graduationwould compensate for the lost point. If the student-athlete earns the E point after graduation, the additional point for early graduation would truly be a bonus for the student-athlete and the team.

d. Examine current professional tryout practices with the National Basketball Association (NBA) and the Federation of International Basketball Associations (FIBA). The NCAA could work with the NBA and FIBA to determine whether other tryout options are available to encourage less missed class time among student-athletes still enrolled while exploring or pursuing professional opportunities.

e. Adopt legislation granting "noncounter" status to a student-athlete who wishes to remain at the institution, but not participate in athletics, after the departure of the head coach who recruited him. Such student-athletes could continue to receive athletics aid, but would not count against team scholarship limits as long as they do not return to athletics participation. If such a student-athlete was granted "noncounter" status, then elected to return to the men's basketball team in a subsequent term or season, he would become a counter for all years during which athletics aid was received. The subcommittee believes this legislative change would provide additional flexibility to student-athletes when their coaches leave, particularly for those who are in their final two to three semesters of a degree program who may not wish to transfer. The group does recognize, however, that many student-athletes are motivated to continue participating in basketball and still may choose to transfer for more playing time at a different institution, regardless of the scholarship opportunity at the original institution.

f. Remove legislative barriers that may prevent a student-athlete from returning to an institution to complete a degree after a professional career. Current legislation allows for five years of athletics aid to be provided within a six-year time period. Athletics aid awarded beyond those parameters must be "earned" aid. Flexibility in this area may encourage more former student-athletes to return to complete their degrees.

g. **Recommendation Related to Four-Year College Transfers** The group discussed Division I men's basketball student-athletes that transfer from a Division I institution and supported a recommendation that the Committee on Athletic Performance continue to examine and develop appropriate policies to allow for an adjustment of a retention point lost when a student-athlete transfers, provided: the student-athlete has a cumulative grade-point-average of 2.00 or higher and was academically eligible.

4. Other Recommendations.

Official Visits – Travel Expenses for Parents/Legal Guardians. The group recommends that the full group consider sponsoring legislation to allow institutions to provide travel expenses to the parents or legal guardians to accompany the prospective student-athlete on the prospect's official visit. Such a practice will ensure that coaches have greater opportunities to develop the player /coach relationship with the entire family, provide an avenue to emphasize the importance of education/academics and also provide greater insight into the family background that may assist coaches in making more sound decisions in the recruiting process.

Issues Still Under Consideration.

The following concepts will continue to be discussed by the full group [or one of its subcommittees], but no preliminary consensus position has been developed at this time.

1. Incoming Two-Year College Transfers.

a **Collect Research.** After reviewing research data supplied by the NCAA research staff, the group determined that there is insufficient data currently available to support any substantive increase to the academic requirements for two-year college transfers in the sport of men's basketball. The group believes that data should be collected that would help determine the characteristics of a successful two-year college transfer. In addition to academic based data, the group also believes that focus groups consisting of current and former two-year college transfers should be surveyed to determine what nonacademic based issues contribute to the academic success or failure of two-year college transfers in the sport of men's basketball.

b. **Academic Access to Two-Year College Student-Athletes.** The group continues to explore the development of proposals that would provide academic support for two-year college transfers in the sport of men's basketball. This would require earlier access to the two-year college transfer student-athletes by academic support personnel at the four-year institution. In particular, the group is modeling current articulation agreements that various four-year institutions have with two-year institutions in part because of the demonstrated success that these agreements have in supporting the two-year college transfer at the two-year and four-year institutions.

2. Year of Academic Readiness.

a. Overview. For various reasons, some prospective student-athletes are underprepared academically to enter a four-year college or university and achieve academic success. Such prospective student-athletes have several options:

(1) Attend a junior college in an effort to remedy academic deficiencies. This option begins a prospective student-athlete's progress-toward-degree requirements timeline (e.g., after two years the prospective student-athlete must have completed 40 percent of the requirements toward a bachelor's degree).

(2) Attend a four-year college/university, and with significant academic support, attempt to make up academic deficiencies while taking a full college course load.

(3) Attend a preparatory school in order to get better prepared academically for college.

While the reasons for lack of academic readiness vary, none of the options are ideal academically. Two-year transfers have the lowest graduation rates according to both federal and NCAA graduation rates data. While many preparatory schools are excellent, attendance at some does little to improve the academic readiness of a prospective student-athlete. Reports from the academic support community confirm that admitting prospective student-athletes who are academically significantly behind their general student body peers present some real challenges, even with the best academic support services in place. Additionally, some institutions are not able to devote significant financial resources to academic support activities.

The following is a new concept for consideration that provides academically underprepared prospective student-athletes another option involving NCAA member institutions. ***A central question that may be important in the reform work is, "What mechanism exists or should exist for academically underprepared student-athletes to remediate deficiencies in order to eventually graduate from a four-year institution?"***

The concept outlined would permit prospective student-athletes to attend a member institution on athletics-related financial aid for a largely remedial academic year, without triggering the current progress-toward-degree requirements. The concept is further defined below.

b. Legislative Parameters.

(1) Prospective student-athlete must use the year of academic readiness prior to any post high school college enrollment. The institution and the prospective student-athlete must declare in writing the year of academic readiness after final determination of the student's qualifier status, but not later than the last opportunity to enroll in the college's summer term. A student-athlete must be admitted to the institution, which could include a special admit or similar designation. A prospective student-athlete may only use the year of academic readiness in their first year of collegiate enrollment.

(2) Year of academic readiness would be available to nonqualifiers.

(3) Student-athlete may receive athletics-related aid. Student-athlete's financial aid would count against team limits consistent with any other student-athlete receiving aid.

(4) Student-athlete may not compete.

(5) Student-athlete may practice with the team at institutional/local facilities only.

(6) Student-athlete may not travel with the team to any away competitions or other events (e.g., no summer foreign tours, no post-national championship trips to the White House).

(7) Student-athlete's five-year athletics clock would start at the beginning of the year of academic readiness.

(8) Student-athlete is not subject to percent degree, grade-point average and credit-hour requirements until after completion of the year of academic readiness (e.g., the terms do not count for purposes of determining grade-point average and percent-degree requirements). The student is subject to applicable institutional requirements (e.g., must be in good academic standing and meet university requirements).

(9) Student-athlete who transfers during the year of academic readiness is subject to an academic year in residence.

(10) Student-athlete is subject to the following academic requirements in order to be eligible for competition in their second year of collegiate enrollment.

- Student-athlete must be enrolled full time per applicable legislation.

- Must complete 12 hours toward any degree program prior to the start of the student-athlete's second year of enrollment. Such hours do not have to be completed during the academic year (e.g., some or all may be earned during the summer).

- Must complete six semester or quarter hours per regular academic term and 18 semester or 27 quarter hours during the academic year. All such hours may be remedial.

- By the start of the student's third year of collegiate enrollment, the student must complete 36 degree-applicable semester hours (i.e., 12 from the first year, plus 24 required in year two) with a grade-point average of 90 percent of the institutional requirement (e.g., generally 2.000 is required thus a 1.800 would be needed).

- The student-athlete may not use any remedial hours to meet progress-toward-degree standards after completion of the year of academic readiness. Only remedial hours taken in the year of academic readiness may be used to meet academic eligibility requirements.

The following table summarizes the credit-hour requirements for these students using a semester school as the example:

Term	**Minimum hours required**
Summer after high school	6 hours
Fall semester (Year 1)	6*/9 hours
Spring semester (Year 1)	6*/9 hours
Summer after Year 1	6 hours
	30 hours completed. 12 hours must be degree credit.

*Must pass 6 hours per term and 18 hours during academic year.

c. NCAA Division I Committee on Academic Performance/NCAA Division I Academic Progress Rate Impact.

(1) A year in readiness student-athlete who meets the NCAA Division I Academic Progress Rate (APR) cohort definition (e.g., are on athletics aid) will be included in a teams' APR.

(2) A year in readiness student-athlete earns a retention point in the same manner as all other student-athletes in the cohort.

(3) A year in readiness student-athlete earns the eligibility point if they meet the progress-toward-degree requirements applicable to a student-athlete using an academic year of readiness referenced in this document.

(4) The student-athlete would fail to earn the eligibility point if they do not graduate in six years, as opposed to the five years for student-athlete's not using this year of readiness.

d. General Observations.

(1) Nonqualifiers are not permitted to receive athletics-related aid in their first year at a member institution. This legislation has been discussed throughout the years with some supporting aid to nonqualfiers. Aid to nonqualifiers certainly could be an alternative or addition to any discussion about the year of academic readiness. This concept however, does more than provide a means for aiding nonqualifiers, it also provides some relief from the immediate implementation of the progress-toward-degree standards while a prospective student-athlete more fully prepares academically for a traditional full college credit load.

(2) Conferences with prohibitions against nonqualifiers may want to examine the implications of the year of academic readiness and whether such a concept would be permitted.

(3) The two-year college community has expressed interest in delaying the onset of the "40-60-80" percent-degree requirements for two-year transfers. This request is predicated by the difficulty of improving academic deficiencies during a prospective student-athlete's two-year college enrollment and also ensuring the prospective student-athlete is prepared to meet the percent-degree requirements after four-year college enrollment.

(4) This concept will not appeal to all academically underprepared prospective student-athletes. It will however, give those most interested in earning a college degree an option currently unavailable. At a minimum, it pulls to the forefront a prospective student-athlete's decision about education versus professional athletics ambitions.

(5) Data demonstrates that prospective student-athletes who attend one four-year institution are most likely to graduate, as opposed to those who transfer. This concept may increase graduation rates among those minimally prepared for college.

(6) Who will determine whether a prospective student-athlete makes use of the year of academic readiness? Those decisions would be made by member institutions in consultation with each prospective student-athlete, similar in some ways to decisions regarding redshirting.

(7) Many in the college academic-support ranks have indicated a preference for having underprepared prospective student-athletes attend four year member institutions immediately after high school as opposed to transferring. This proposal permits a limited number of special admit prospective student-athletes to attend four-year institutions on

Note: It also should be noted that the group engaged in extensive discussion as to whether two year colleges are better equipped to assist in the remediation of academically underprepared men's basketball student-athletes and agreed there is some merit in considering the "Academic Year in Readiness" concept to be applied during the initial year of enrollment at a two-year college.

3. Best Practices. The group continues to develop a comprehensive list of best practices designed to assist institutions in implementing policies/practices to improve the academic performance of Division I men's basketball student-athletes. The list will include many practices /policies identified by the National Association of Academic Advisors for Athletes [N4A]. [See Appendix A]

ADDENDUM
SUPPLEMENT NO. 14
DI Leadership Council 11/08

Progress Report of the Division I Men's Basketball Academic Enhancement Group (As of September 15, 2008)

Background.

During its April 2007, meeting, the NCAA Division I Board of Directors approved the formation of an NCAA Division I Men's Basketball Academic Enhancement Group, a working group composed of presidents and chancellors, head coaches, commissioners, directors of athletics and faculty athletics representatives, which was established to develop strategies to enhance academic performance and graduation rates in NCAA Division I men's basketball. Graduation rates in men's basketball are among the lowest in Division I, and the then impending elimination of the small squad adjustment was expected to further impact the sport. The academic preparation of men's basketball student-athletes is unique from many other sports, and overall, they are less prepared academically than student-athletes who participate in other sports. It was essential, therefore, that NCAA constituent groups work together to evaluate the causes and develop meaningful strategies to improve academic performance. The success of a similar group in baseball and discussions involving head basketball coaches and representatives of several governance committees and NCAA staff at the 2007 Men's Final Four supported the establishment of the Division I Men's Basketball Academic Enhancement Group as a meaningful step toward identifying solutions.

The Division I Men's Basketball Academic Enhancement Group was directed to develop appropriate recommendations for consideration by the Division I membership within a timeline of approximately 12 to 18 months. The group was provided a charge to:

1. Analyze available data, research and literature regarding the academic performance trends of Division I men's basketball student-athletes.

2. Identify characteristics and factors in the sport that may be serving to impair the academic performance of Division I men's basketball student-athletes.

3. Identify changes that would enhance academic progress and graduation rates in Division I men's basketball.

4. Submit to the Division I Board of Directors, no later than the end of 2008, a set of recommendations and proposals that would enhance APR and graduation rates in Division I men's basketball.

5. Maintain ongoing communication with, and seek reactions from, the NCAA governance structure, and the National Association of Basketball Coaches [NABC] membership and conference offices during the course of the project.

The Division I Men's Basketball Academic Enhancement Group conducted its initial meeting in Indianapolis at the national office in August 2007, and agreed that the project could most effectively be accomplished through the use of subcommittees. The following subcommittees were formed and charged with identifying and developing potential solutions, legislative and non-legislative, for consideration by the full group.

1. Subcommittee on Academic Preparation and Academic Support.

2. Subcommittee on Coach/Player Relationships.

3. Subcommittee on Playing and Practice Seasons.

4. Subcommittee on Transfers – Both Incoming and Outgoing.

5. Subcommittee on the 0 for 2 Phenomenon.

The subcommittees have conducted several meetings, both in-person and by conference call and have developed preliminary recommendations/solutions specific to their respective areas. During its April 25 and August 8, 2008, in-person meetings, the full group discussed the subcommittee's recommendations in detail, offered additional comments and suggestions and began to develop some preliminary consensus positions on some of the recommended solutions. The group also received and considered feedback from various constituencies in the Division I governance structure. The following information sets forth the current progress of the Division I Men's Basketball Academic Enhancement Group to date. It should be emphasized that this is a progress report and many of the recommendations as well as consensus positions are likely to undergo additional discussion and consideration prior to being put forth as a final recommendation/position of the full group. The Division I Men's Basketball Academic Enhancement Group is scheduled to again convene as full group later this fall, at which time it is anticipated that the group will be prepared to make final recommendations. A final report including the group's recommendations will be prepared shortly thereafter and provided to the Board of Directors for consideration at its meeting in conjunction with the NCAA Convention.

Recommendations Receiving Preliminary Support.

1. <u>Proposed Academic Preparation, Enhancement and Summer Access Model - Mandatory Summer School</u>.

Background and Rationale. The full group supported a proposed academic preparation and enhancement model that involves summer school attendance and summer access for Division I men's basketball student-athletes. The primary intent of this recommendation is to increase academic performance. It is important to emphasize athletics access that has an academic nexus tied to it. This model proposes a playing and practice season structure that is designed to encourage greater academic commitment, while also providing an opportunity for coaches and student-athletes to interact and enhance the coach/player relationship throughout the academic year and summer.

Data reviewed by the group indicates that student-athletes who enroll in summer school, particularly early in their academic career are far more likely to make appropriate academic progress toward their degrees during their playing career. In addition, a survey of Division I men's basketball student-athletes attending summer school revealed that time spent on athletically related activities while enrolled in summer school has been approximately 10-11 hours on a weekly basis. Thus, the ability to engage in such activities in a more structured environment under the supervision of the coaching staff will not increase the status quo during the summer, but could prove beneficial in establishing a stronger coach/player relationship in a less pressured environment. Definitions of summer access and summer school requirements have been included to assist in understanding a practical application of the model. It is designed both for individuals during the summer prior to initial full-time enrollment and continuing student-athletes.

a. Summer School Requirements. Current financial aid legislation permits institutions to provide athletics aid for the summer prior to initial full-time enrollment under conditions prescribed by NCAA Bylaw 15.2.8.1.4. Further, NCAA Bylaw 15.2.8 and its subsections, outline legislation related to summer financial aid for enrolled student-athletes.

The proposed definition of required summer school includes a requirement that all incoming men's basketball student-athletes, who have signed financial aid agreements to receive athletically related financial aid for the ensuing regular academic year, be enrolled in a minimum of three hours of acceptable degree credit [in addition to study skills / life skills education]. Further, all continuing men's basketball student-athletes who have signed financial aid agreements to receive athletically related financial aid for the ensuing regular academic year, must be enrolled in a minimum of six hours of acceptable degree credit. Consistent with the provisions of Bylaw 14.4.3.4.4, such hours may include remedial courses, provided the courses are prerequisites for specific courses acceptable toward any degree program. Institutions that offer athletically related financial aid would be required to provide financial aid to these student-athletes to attend the summer session. Further, institutions must provide such student-athletes study skills / life skills education (e.g., course, seminar, training session that helps student-athletes "learn how to learn").

The provisions of NCAA Bylaw 15.2.8.1.4 would continue to apply to individuals during the summer prior to initial full-time enrollment, except that such an individual would be permitted to engage in athletics activities, as defined in the ensuing section entitled, ”Definition of Summer Access.”.

An exception would be provided to those institutions that do not offer summer courses to the general student body. However, such institutions would not be able to take advantage of the summer athletics access component of this model. Further, institutions that offer summer courses, but do not offer any athletically related financial aid [e.g., award only need-based aid] would have two options. The first option would be to use the previously noted exception applicable to institutions that do not offer summer courses to the general student body. Institutions electing to use this option would not be required to award summer financial aid, but also would be prohibited from participation in summer athletics access. The second option would be available for those institutions that wish to participate in the summer athletics access. These institutions would be subject to the mandatory summer aid requirement for those recruited student-athletes who qualify for nonathletically related aid to attend the summer session. The summer athletics access provisions of this model would be applicable to those student-athletes enrolled in the requisite minimum number of hours of acceptable degree credit and who are receiving nonathletically related financial assistance or covering their own cost of summer school.

b. Definition of Summer Access. Under current legislation, coaches and student-athletes are limited in the amount of time spent on athletics activities and the nature of those activities during the regular academic year and institutional vacation periods, including the summer. Specifically, it is not permissible for coaches and student-athletes to participate in countable athletically related activities during the summer vacation period.

The definition of summer access for this model is based on the use of required weight training, conditioning and individual skill instruction as avenues for summer athletics access. Individual skill instruction provides an opportunity for student-athletes and coaches to work together to improve aspects of the student-athletes’ individual skill in a more intimate structure. The focus on individual skill instruction addresses concerns from the men’s basketball community regarding the importance of increased access to student-athletes during the summer, but prevents full team practice on a year-round basis.

The proposed definition would permit the allocation of eight hours per week as the maximum number of hours per week in which it would be permissible to engage in these activities, with no more than two hours devoted to skill-related instruction. This length of time is consistent with current legislation governing athletics activities

outside the playing season during the academic year. Based on current legislation, the membership appears to accept eight hours per week as a reasonable balance between the academic and athletic needs of student-athletes while not imposing an undue burden on their time. Similarly, while cognizant of time demands issues that also exist during the summer, this proposed definition does not exceed eight required hours per week in order to provide student-athletes sufficient time to engage in other pursuits.

In addition to identifying the appropriate maximum number of hours per week, the number of weeks during the summer in which access shall be permitted should be considered in the same manner. The proposed definition would specify a period of eight weeks of access at the institution's discretion. For comparison purposes, the identification of an eight-week period presents a consistent length of time as provided for in the football summer conditioning period. Consideration should also be given to academic needs and other time demands concerns in determining the eight-week period as appropriate for football. Likewise, the remaining time outside the eight-week period should be designated as student-athlete discretionary time as outlined in existing legislation in which a student-athlete can only participate in athletics activities at his discretion.

c. Summary of the Model's Concepts.

(1) All incoming and continuing men's basketball student-athletes (including transfer student-athletes) who have signed financial aid agreements to receive athletically related financial aid for the ensuing regular academic year would be required to attend the institution's summer term during the summer prior to initial full-time enrollment and the summer after completion of the first year of enrollment at the certifying institution. [Note: The committee committed to further reviewing data at a later date to determine if an "opt out" provision should be established for student-athletes who satisfy specific academic threshold requirements].

Summer school attendance following the second year in attendance at the certifying institution and thereafter would be presumed to be mandatory, but student-athletes meeting specified (to be determined) academic benchmarks who also have institutionally approved graduation plans would be permitted to "opt out" of such attendance. [Note: The committee agreed that "opt out" provisions should include higher standards than minimum progress-toward-degree standards].

(2) As an additional financial aid requirement of Division I membership, institutions must award financial aid during the summer to each incoming

men's basketball student-athlete for a minimum of three hours [in addition to study skills / life skills education] and to each continuing men's basketball student-athlete for a minimum of six hours. Institutions whose financial aid package includes an exceptional amount of Pell Grant assistance would be required to provide one half of the value of the summer financial aid to each recruited men's basketball student-athlete who has signed a financial aid agreement for the ensuring regular academic year. [Note: An exceptional amount of Pell Grant assistance is defined as those institutions that in a given academic year have an average per-student allotment of Pell Grant dollars for undergraduate students reported to the U.S. Department of Education the previous September that is more than one standard deviation above the mean for all reporting Division I membership institutions for that year].

(3) Further, institutions would be required to provide all incoming men's basketball student-athletes study skills / life skills education (e.g., course, seminar, training session that helps student-athletes "learn how to learn", for example, how to take notes, how to take tests, evaluation of study skills). Such educational activities should be organized in a manner to assist coaches with developing strategies for individual student-athletes to succeed in the classroom and focus on career planning and "life after basketball" skills. Such education would be encouraged in future years as deemed necessary.

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

(5) Enrollment in a minimum of three hours [plus study skills / life skills education] for incoming men's basketball student-athletes] and a minimum of six hours for continuing men's basketball student-athletes would be required as a prerequisite for athletics access during the summer. A waiver from the application of the mandatory attendance requirement would be available when unique circumstances preclude an incoming or continuing student-athlete from attending summer school. A student-athlete receiving a waiver of the mandatory attendance requirement would not be permitted to engage in the athletics access during the summer.

(6) A credit-hour requirement would be established such that incoming men's basketball student-athletes, who have signed financial aid agreements to receive

athletically related financial aid for the ensuing regular academic year, would be required to satisfactorily complete a minimum of three hours of academic credit during the summer as a prerequisite for eligibility in the fall term. Thereafter, the student-athlete would be required to satisfactorily complete a minimum of six hours of academic credit during any summer as a prerequisite for eligibility in the ensuing fall term. A student-athlete who is not eligible for competition in the fall, based on unsuccessful completion of at least six hours during the summer, would be permitted to regain eligibility at the conclusion of the fall term, provided he meets all other applicable progress-toward-degree regulations. [Note: A nonqualifier must still complete an academic year of residence before being eligible for competition; however, he would be eligible for summer financial aid and athletics access during the summer prior to initial full-time collegiate enrollment.]

(7) Institutions would continue to be permitted to conduct required athletics activities [i.e., mandatory weight training, conditioning or individual skill-instruction] from the end of the institution's playing season until the week prior to the beginning of the institution's final examination period in accordance with current regulations.

2. <u>Proposed Playing and Practice Season Model</u>.

[Note: The group did not engage in further discussion regarding this model at its August 8 meeting, but will take final action at its next meeting]

The group supported the following playing and practice season model that provides for a slight reduction in the number of games, a staggered schedule for the start of team practice and other legislative modifications designed to minimize missed class time during the season. The group believes that the implementation of a basic scheduling philosophy with the key components listed below will reduce missed class time during the playing season.

a. Preseason Conditioning and Practice.

(1) Permissible Preseason Conditioning Activities (Beginning of academic year). The current rule that permits men's basketball student-athletes to engage in a maximum of eight hours per week of conditioning or physical-fitness activities, of which not more than two hours may be spent on skill-related workouts, would remain unchanged.

(2) On -Court Team Practice Activities. Beginning October 1, instead of eight hours per week for conditioning or physical-fitness activities, an institution's men's basketball team shall be allowed to participate in activities as follows:

October 1-7: Of the eight hours per week allowed for strength/conditioning and/or skill instruction, allow coaches the option to conduct on-court practice for a maximum of four of the eight hours. All countable athletically related activities shall be prohibited during two calendar days.

October 8-14: Instead of eight hours, increase the number of hours to 12 per week for strength/conditioning and/or skill instruction and allow coaches the option to conduct on-court practice for a maximum of eight of the 12 hours. All countable athletically related activities shall be prohibited during two calendar days.

October 15: Regular team practice begins with 20 hours per week, with one day off per week during which no countable athletically related activities shall occur.

[Permitting institutions to utilize a "staggered schedule" for the start of team practice earlier (October 1 rather than mid-October) will allow: freshman student-athletes more time to become acclimated to college life, and for further development of the coach/player relationship prior to the beginning of the traditional on-court team practice time.]

(3) Missed Class Time Policies. Policies must be implemented to limit missed class time due to athletics participation (e.g., student-athlete may not miss more than 10 percent of class meetings per semester due to athletics participation). Athletics participation schedules that include the amount of missed class time due to athletics participation must be approved prior to each semester by the faculty athletics representative or faculty oversight committee.

b. Practice Scrimmages/Exhibition games. The group **r**ecommended modifications to the current legislation regarding informal preseason scrimmages to specify that such practice scrimmages shall not result in missed class time allowed by the student-athletes of the participating institutions.

c. Playing season.

(1) An institution shall conduct regular-season games no earlier than start the Saturday prior to Thanksgiving.

(2) An institution shall conduct a maximum of 28 regular-season games over 14 weeks (two games per week for 14 weeks) or, a maximum of 26 games, if the institution participates in a Qualifying Regular-Season Multiple Team Event.

(3) An institution shall participate in no more than two games per week, except during holiday or vacation periods as defined in the institution's official catalog.

(4) An institution shall not participate in any games during the week of final exam period(s) as defined in the institution's official catalog.

(5) An institution shall not participate in more than one away from home regular season conference game Monday through Thursday of any given week.

3. Academic Progress Rate (APR) Policies.

Background and Rationale. Academic success within a particular sport or on specific teams likely occurs as a result of the interplay of many factors, including a student-athlete's academic profile, athletics time demands, personal factors (e.g., family finances), athletics opportunities (e.g., playing time, professional departure) and the level of commitment to academic success by players, coaches, administrators and others. The ultimate academic casualty occurs when a student-athlete fails academically and separates from the institution. Under such circumstances, not only does an individual student-athlete fall off track, but his team also loses 2 of 2 possible NCAA Division I Academic Progress Rate (APR) points for his last academic term.

While the number of "0/2" student-athletes in NCAA Division I dropped over the last three years, the decrease occurred at a slower pace in the sport of men's basketball than in any other sport. By comparison, the number of "0/2" student-athletes in football and baseball dropped by 12 percent and 21 percent, respectively, from 2003-04 to 2005-06; however, the number of "0/2" student-athletes in men's basketball decreased by only 3 percent. Together, these three sports accounted for 49 percent of all "0/2" student-athletes nationally in 2005-06.

Trends in "0/2" performance by gender and ethnicity indicate higher percentages of male and ethnic minority student-athletes among those who depart and are ineligible to return. In addition, there are higher percentages of "0/2" student-athletes among those who transfer,

particularly those who transfer from a two-year college to a four-year college. In each of the last three APR reporting years, between nine and 10 percent of two-year transfer student-athletes have lost both the eligibility (E) and retention (R) points for their teams.

General Observations Related to the Academic Progress of Division I Men's Basketball Student-Athletes.

a. **Stronger connections to Head Coach**. Men's basketball players seem to have stronger connections to their head coaches and/or a style of play than to their programs or their institutions overall.

b. **Head coaching change will occur when expectations are not met**. The subcommittee acknowledged there are times when a transition in personnel simply must be made for the short- and long-term health of the program. For example, institutional leadership may choose to replace a head coach to restore the program's competitive level, to make improvements to a team's APR, to turn around an unhealthy environment for players, or to meet expectations and goals of the institution and its alumni and supporters.

c. **The "margin of error" is different in men's basketball.** The subcommittee acknowledged that, in the sport of men's basketball, the academic performance of only one or two players can significantly impact a team's APR.

d. **Gravitational pull of professional basketball opportunities.** There are unique professional opportunities available to men's basketball student-athletes. Student-athletes may submit their names for consideration in the NBA annual draft as long as they are at least 19 years of age during the calendar year in which the draft is held, and at least one NBA season has elapsed since the individual's graduation from high school. In addition to the NBA, there are numerous opportunities available to men's basketball student-athletes in international professional leagues. The subcommittee members discussed the difficulty in maintaining a level of academic engagement for these student-athletes once they have declared for the draft. The subcommittee members who coach these student-athletes indicated that there is a cultural expectation that they disengage academically once the basketball season has ended in order to prepare for the draft.

e. **Nature of the NBA tryout process.** The annual NBA draft traditionally occurs in June. Student-athletes who have declared their desire to be drafted often participate in tryouts and the annual pre-draft camp (late May/early June) that occurs between the conclusion of the basketball season and the draft. Again the topic of academic disengagement was discussed, as well as the concern that those who may want to remain engaged cannot due to the tryout schedule. The group also discussed the common practice of agents or advisors to recommend prospective professional basketball players leave their institutions to prepare for the pre-draft camps at some other location.

f. **Nature of the combine process for international leagues.** The tryout process for international leagues does not appear to be as organized as the NBA tryouts. There are professional league tryouts conducted in several countries from June through early September, but it is unclear how the schedule of those tryouts impacts a student-athlete's academic endeavors in his last term of enrollment prior to departing for the professional ranks. There is also a concern with this preparation that agents or advisors recommend that student-athletes leave their institutions to prepare for the tryouts.

The following are preliminary recommendations supported by the group related to the application of the Academic Progress Rate [APR] policies: [Note: Where applicable, the recommendations will be forwarded to the Committee on Academic Performance for consideration].

a. **Provide greater flexibility in the waiver and adjustment processes during head coaching transitions.** The NCAA Division I Basketball Academic Enhancement Group supports some relief in contemporaneous penalties when a coaching transition occurs and to include the possibility of a waiver process that may result in a discount of the retention (R) point when circumstances can be documented to reflect an individual student-athlete's decision to leave an institution due to a coaching change. Given the institutional responsibility to foster an environment that supports student-athlete academic achievement and retention, the group was reluctant to recommend steps that would alter the NCAA Division I Academic Progress Rate (APR) calculation in all instances of a coaching transition.

b. **Revise the APR adjustment guidelines to be more flexible and to allow consideration of the student-athlete's level of academic engagement and achievement to the point of departure from the institution to pursue a professional athletics career, should that departure occur during his fourth year of collegiate enrollment.** Currently a student-athlete must have earned the eligibility (E) point in his last term of enrollment prior to departing the institution for the professional ranks in order for the institution to request an adjustment to the lost retention (R) point. Basically, the student-athlete has to be a "1/2" in order for the staff to consider granting an adjustment to the lost R point. However, in some instances (e.g., departures for foreign leagues) student-athletes must leave prior to the conclusion of the academic term in order to pursue professional opportunities. The subcommittee recommends providing relief specifically for a student-athlete in his fourth year of college enrollment. The staff will have to develop a means of assessing academic engagement and academic performance; however, consideration could be given to the student-athlete's APR point record for previous terms, his progress toward graduation and his level of academic engagement at the time of departure (e.g., class attendance, preliminary grades, completed assignments and faculty reports). This analysis could lead to APR adjustments (i.e., 1/1) in those cases in

which a student's academic performance and engagement can be documented through class attendance records, preliminary grades, completed assignments and faculty reports.

c. **Revise the calculation of the APR to award an additional point as an incentive to motivate early graduation.** Currently, APR points are awarded on a term-by-term bases as follows: one point if the student-athlete is eligible for competition at the conclusion of the term (E), and one point if the student-athlete is retained the following term (R). At most, a student-athlete can accrue two points in one term, or "2/2." The subcommittee recommends the NCAA Division I Committee on Academic Performance modify this point calculation when a student-athlete completes a baccalaureate degree in less than four academic years. A similar accommodation could be provided for a student-athlete enrolled in a five-year baccalaureate degree program if he completes that program in less than five years. The subcommittee suggests when a student-athlete graduates ahead of schedule, the calculation include an additional point in the numerator. The early graduate would be considered a "3/2." Current policy stipulates that once a student-athlete graduates, the R point will continue to be awarded in all subsequent terms of enrollment. However, in order to earn the E point, the student-athlete must pass a minimal number of hours. Again, because of the nature of some professional opportunities, athletic and otherwise, some student-athletes do not complete terms after graduation or do not complete them satisfactorily. Should a graduated student-athlete fail to earn the E point in a term of enrollment after graduation, the additional point that was earned due to an early graduation would compensate for the lost point. If the student-athlete earns the E point after graduation, the additional point for early graduation would truly be a bonus for the student-athlete and the team.

d. **Examine current professional tryout practices with the National Basketball Association (NBA) and the Federation of International Basketball Associations (FIBA)**. The NCAA could work with the NBA and FIBA to determine whether other tryout options are available to encourage less missed class time among student-athletes still enrolled while exploring or pursuing professional opportunities.

e. **Adopt legislation granting "noncounter" status to a student-athlete who wishes to remain at the institution, but not participate in athletics, after the departure of the head coach who recruited him.** Such student-athletes could continue to receive athletics aid, but would not count against team scholarship limits as long as they do not return to athletics participation. If such a student-athlete was granted "noncounter" status, then elected to return to the men's basketball team in a subsequent term or season, he would become a counter for all years during which athletics aid was received. The subcommittee believes this legislative change would provide additional flexibility to student-athletes when their coaches leave, particularly

for those who are in their final two to three semesters of a degree program who may not wish to transfer. The group does recognize, however, that many student-athletes are motivated to continue participating in basketball and still may choose to transfer for more playing time at a different institution, regardless of the scholarship opportunity at the original institution.

f. **Remove legislative barriers that may prevent a student-athlete from returning to an institution to complete a degree after a professional career.** Current legislation allows for five years of athletics aid to be provided within a six-year time period. Athletics aid awarded beyond those parameters must be "earned" aid. Flexibility in this area may encourage more former student-athletes to return to complete their degrees.

g. **Recommendation Related to Four-Year College Transfers** The group discussed Division I men's basketball student-athletes that transfer from a Division I institution and supported a recommendation that the Committee on Athletic Performance continue to examine and develop appropriate policies to allow for an adjustment of a retention point lost when a student-athlete transfers, provided the student-athlete has a cumulative grade-point-average of 2.00 or higher and was academically eligible.

4. **Two-Year College Transfer - Recommended Concepts to Address the Academic Performance of Two-Year College Transfers in the Sport of Men's Basketball.**

a. **Collect Research.** Data should be collected to help determine the characteristics of a successful two-year college transfer. In addition to academic based data, the subcommittee also believes that focus groups consisting of current and former two-year college transfers should be formed to determine what academic and nonacademic factors contribute to the academic success or failure of two-year college transfers in the sport of men's basketball.

b. **Use of Nontraditional Courses to Meet Transfer Requirements.** The NCAA Division I Academics Cabinet should continue to review the use of nontraditional courses to meet academic transfer requirements for 2-4 transfer student-athletes and its impact on their academic success.

c. **Physical Education Activity Courses.** Limit physical education activity courses used to satisfy two-year transfer requirements to no more than two credit hours. For those student-athletes matriculating at the four-year institution immediately into a physical education degree program or an education program requiring physical

education activity courses as a part of the degree program (courses cannot be used to fulfill free elective requirements), student-athletes can use up to up to the number of major specific courses to meet transfer requirements.

5. <u>Other Recommendation</u>s.

Official Visits – Travel Expenses for Parents/Legal Guardians. The committee recommends legislation to allow institutions to provide travel expenses to the parents or legal guardians to accompany the prospective student-athlete on the prospect's official visit. Such a practice will ensure that coaches have greater opportunities to develop the player /coach relationship with the entire family, provide an avenue to emphasize the importance of education/academics and also provide greater insight into the family background that may assist coaches in making more sound decisions in the recruiting process.

Issues Still Under Consideration.

The following concepts will continue to be discussed by the full group (or one of its subcommittees), but no preliminary consensus position has been developed at this time.

1. <u>Incoming Two-Year College Transfers</u>.

a. **Mandatory Year in Residence.** Require all two-year college transfers in the sport of men's basketball who are nonqualifiers to serve an academic year in residence at the four-year institution before being eligible to compete. These transfer students would be eligible to receive athletically related financial aid and practice. Additionally, if the transfer student because of the mandatory year in residence would not be able to participate in four seasons of competition, he would be eligible for an extension of his five-year clock provided he graduated at the end of five years.

- To be eligible to practice and receive athletics aid, all two-year college transfers would be required to receive a final initial-eligibility certification from the NCAA Eligibility Center.

b. Exception to the Mandatory Year in Residence. A two-year transfer who is a nonqualifier in the sport of men's basketball would not have to serve a year in residence at the four-year institution before being eligible to compete if:

(1) The transfer student satisfies current two-year college academic transfer requirements (e.g., 2.00 grade-point average, associate's degree); and

(2). The transfer student completes all requirements that are part of a graduation plan developed by the four-year institution for the transfer student while he is enrolled at the two-year institution. This plan would have to be on file with the member institution and should articulate which credit hours from the two-year institution would transfer to the four-year institution and what degree requirement they would fulfill. Additionally, the plan should prescribe any necessary academic support services for the transfer student and the use of remedial/noncredit courses.

- To develop the graduation plan, academic support personnel at the four-year institution would be able to communicate with the transfer student, college coaches and/or academic personnel at the two-year institution under the following circumstances:

  i. If the prospective men's basketball student-athlete signs a National Letter of Intent (NLI) with a member institution while in high school. The institution's academic support personnel would have access during all years the transfer student is attending the two-year institution. This option would require that the NLI remains valid while the transfer student is in attendance at the two-year institution; or

  ii. If a prospective men's basketball student-athlete does not sign a NLI with a member institution while in high school, the institution's academic support personnel would be permitted access to the transfer student after he signs a NLI, or accepts an offer of admission with the member institution. For nonqualifiers, an institution would be permitted to sign the transfer student to a NLI during the spring of his first year at the two-year institution or during any subsequent year.

c. **Summer School While Attending the Two-Year Institution**. Permit the four-year institution to pay for the transfer student to attend summer classes at the four-year institution while the transfer student is enrolled at a two-year institution, provided:

(1) The courses taken at the four-year institution are part of the graduation plan on file with the institution.

(2) The transfer student does not engage in any countable athletically related activities.

(3) If the transfer student attends summer classes paid for by the four-year institution, and the student-athlete is admissible to the institution, the student-athlete will be considered a transfer student-athlete if he wants to attend another institution.

(4) The coursework taken at the four-year institution during the summer can be used to satisfy all academic transfer requirements established for two-year college transfers.

d. **Year in Residence.** Permit a transfer student in the sport of men's basketball to attend a two-year institution for his first year of collegiate enrollment without having the year count towards determining progress-toward-degree requirements provided:

(1) The transfer student does not compete during the first year at the two-year institution.

(2) The transfer student attends the two-year institution for a minimum of five semesters or eight quarters.

(3) The transfer student satisfies all two-year college academic transfer requirements.

e. **Academic Access to Two-Year College Student-Athletes.** The group continues to explore the development of proposals that would provide academic support for two-year college transfers in the sport of men's basketball. This would require earlier access to the two-year college transfer student-athletes by academic support personnel at the four-year institution. In particular, the group is modeling current articulation agreements that various four-year institutions have with two-year institutions in part

because of the demonstrated success that these agreements have in supporting the two-year college transfer at the two-year and four-year institutions.

2. <u>Year of Academic Readiness</u>.

a. Overview. For various reasons, some prospective student-athletes are underprepared academically to enter a four-year college or university and achieve academic success. Such prospective student-athletes have several options:

(1) Attend a junior college in an effort to remedy academic deficiencies. This option begins a prospective student-athlete's progress-toward-degree requirements timeline (e.g., after two years the prospective student-athlete must have completed 40 percent of the requirements toward a bachelor's degree).

(2) Attend a four-year college/university, and with significant academic support, attempt to make up academic deficiencies while taking a full college course load.

(3) Attend a preparatory school in order to better prepare academically for college.

While the reasons for lack of academic readiness vary, none of the options are ideal academically. Two-year transfers have the lowest graduation rates according to both federal and NCAA graduation rates data. While many preparatory schools are excellent, attendance at some does little to improve the academic readiness of a prospective student-athlete. Reports from the academic support community confirm that admitting prospective student-athletes who are academically, significantly behind their general student body peers presents some real challenges, even with the best academic support services in place. Additionally, some institutions are not able to devote significant financial resources to academic support activities.

The following is a new concept for consideration that provides academically underprepared prospective student-athletes another option involving NCAA member institutions. ***A central question that may be important in the reform work is, "What mechanism exists or should exist for academically underprepared student-athletes to remediate deficiencies in order to eventually graduate from a four-year institution?"***

The concept outlined would permit prospective student-athletes to attend a member institution on athletics-related financial aid for a largely remedial

academic year, without triggering the current progress-toward-degree requirements. The concept is further defined below.

b. Legislative Parameters.

(1) Prospective student-athlete must use the year of academic readiness prior to any post high school college enrollment. The institution and the prospective student-athlete must declare in writing the year of academic readiness after final determination of the student's qualifier status, but not later than the last opportunity to enroll in the college's summer term. A student-athlete must be admitted to the institution, which could include a special admit or similar designation. A prospective student-athlete may only use the year of academic readiness in their first year of collegiate enrollment.

(2) Year of academic readiness would be available to nonqualifiers.

(3) Student-athlete may receive athletics-related aid. Student-athlete's financial aid would count against team limits consistent with any other student-athlete receiving aid.

(4) Student-athlete may not compete.

(5) Student-athlete may practice with the team at institutional/local facilities only.

(6) Student-athlete may not travel with the team to any away competitions or other events (e.g., no summer foreign tours, no post-national championship trips to the White House).

(7) Student-athlete's five-year athletics clock would start at the beginning of the year of academic readiness.

(8) Student-athlete is not subject to percent degree, grade-point average and credit-hour requirements until after completion of the year of academic readiness (e.g., the terms do not count for purposes of determining grade-point average and percent-degree requirements). The student is subject to applicable institutional requirements (e.g., must be in good academic standing and meet university requirements).

(9) Student-athlete who transfers during the year of academic readiness is subject to an academic year in residence.

(10) Student-athlete is subject to the following academic requirements in order to be eligible for competition in their second year of collegiate enrollment.

- Student-athlete must be enrolled full-time per applicable legislation.

- Must complete 12 hours toward any degree program prior to the start of the student-athlete's second year of enrollment. Such hours do not have to be completed during the academic year (e.g., some or all may be earned during the summer).

- Must complete six semester or quarter hours per regular academic term and 18 semester or 27 quarter hours during the academic year. All such hours may be remedial.

- By the start of the student's third year of collegiate enrollment, the student must complete 36 degree-applicable semester hours (i.e., 12 from the first year, plus 24 required in year two) with a grade-point average of 90 percent of the institutional requirement (e.g., generally 2.000 is required thus a 1.800 would be needed).

- The student-athlete may not use any remedial hours to meet progress-toward-degree standards after completion of the year of academic readiness. Only remedial hours taken in the year of academic readiness may be used to meet academic eligibility requirements.

The following table summarizes the credit-hour requirements for these students using a semester school as the example:

Term	**Minimum hours required**
Summer after high school	6 hours
Fall semester (Year 1)	6*/9 hours
Spring semester (Year 1)	6*/9 hours
Summer after Year 1	6 hours
	30 hours completed. 12 hours must be degree credit.

*Must pass 6 hours per term and 18 hours during academic year.

c. NCAA Division I Committee on Academic Performance/NCAA Division I Academic Progress Rate Impact.

(1) A year in readiness student-athlete who meets the NCAA Division I Academic Progress Rate (APR) cohort definition (e.g., are on athletics aid) will be included in a teams' APR.

(2) A year in readiness student-athlete earns a retention point in the same manner as all other student-athletes in the cohort.

(3) A year in readiness student-athlete earns the eligibility point if they meet the progress-toward-degree requirements applicable to a student-athlete using an academic year of readiness referenced in this document.

(4) The student-athlete would fail to earn the eligibility point if they do not graduate in six years, as opposed to the five years for student-athlete's not using this year of readiness.

d. General Observations.

(1) Nonqualifiers are not permitted to receive athletics-related aid in their first year at a member institution. This legislation has been discussed throughout the years with some supporting aid to nonqualfiers. Aid to nonqualifiers certainly could be an alternative or addition to any discussion about the year of academic readiness. This concept however, does more than provide a means for aiding nonqualifiers, it also provides some relief from the immediate implementation of the progress-toward-degree standards while a prospective student-athlete more fully prepares academically for a traditional full-college credit load.

(2) Conferences with prohibitions against nonqualifiers may want to examine the implications of the year of academic readiness and whether such a concept would be permitted.

(3) The two-year college community has expressed interest in delaying the onset of the "40-60-80" percent-degree requirements for two-year transfers. This request is predicated by the difficulty of improving academic deficiencies during a prospective student-athlete's two-year college enrollment and also ensuring the prospective student-athlete is prepared to meet the percent-degree requirements after four-year college enrollment.

(4) This concept will not appeal to all academically underprepared prospective student-athletes. It will however, give those most interested in earning a college degree an option currently unavailable. At a minimum, it pulls to the forefront a prospective student-athlete's decision about education versus professional athletics ambitions.

(5) Data demonstrates that prospective student-athletes who attend one four-year institution are most likely to graduate, as opposed to those who transfer. This concept may increase graduation rates among those minimally prepared for college.

(6) Who will determine whether a prospective student-athlete makes use of the year of academic readiness? Those decisions would be made by member institutions in consultation with each prospective student-athlete, similar in some ways to decisions regarding redshirting.

(7) Many in the college academic-support ranks have indicated a preference for having underprepared prospective student-athletes attend four-year member institutions immediately after high school as opposed to transferring. This proposal permits a limited number of special admit prospective student-athletes to attend four-year institutions on athletics aid and thus get the academic support to remediate academic deficiencies.

Note: It also should be noted that the group engaged in an extensive discussion as to whether two-year colleges are better equipped to assist in the remediation of academically underprepared men's basketball student-athletes and agreed there is some merit in considering the "Academic Year in Readiness" concept to be applied during the initial year of enrollment at a two-year college.

3. **Best Practices.** The group continues to develop a comprehensive list of best practices designed to assist institutions in implementing policies/practices to improve the academic performance of Division I men's basketball student-athletes. The list will include many practices/policies identified by the National Association of Academic Advisors for Athletes **(**N4A). [See Appendix A]

A G E N D A

National Collegiate Athletic Association

Division I Student-Athlete Advisory Committee Meeting

NCAA National Office
Indianapolis, Indiana

November 21-23, 2008

1. Welcome, introductions and announcements. (Kerry Kenny and Matt Baysinger)

   a. Introduction of new members. (Kenny)

   b. Review meeting materials. (Kenny)

   c. Review NCAA Division I National Student-Athlete Advisory Committee (SAAC) and conference SAAC advisor address list. [Supplement Nos. 1-a and 1-b] (Curtis Hollomon and Kenny)

   d. Review meeting schedule. [Supplement No. 2] (Baysinger)

   e. Member roster posted on the NCAA Web site. (John Shukie)

   f. SAAC members serving on other committees. [Supplement No. 3] (Kenny)

2. Review report of July SAAC meeting. [Supplement No. 4] (Kenny)

3. NCAA Division I, II and III joint SAAC meeting. [Supplement No. 5] (Allison Houseal)

4. Review NCAA Division I committee reports.

   a. Summary of NCAA Division I Leadership and Legislative Councils and NCAA Division I Board of Director reports from the October/November 2008 meetings. [Supplement No. 6 to be distributed at the meeting.] (Kenny and Baysinger)

   b. NCAA Division I Championships/Sports Management Cabinet. [Supplement No. 7] (Danielle Neault)

   c. NCAA Division I Academics Cabinet. [Supplement No. 8] (Kenny)

      - NCAA Division I Working Group to Review “At-Risk” Student-Athlete Issues. (Kenny)

   d. NCAA Division I Amateurism Cabinet. [Supplement No. 9] (Benten Kieffner)

e. NCAA Division I Student-Athlete Awards, Benefits, Expenses and Financial Aid Cabinet. [Supplement No. 10] (Baysinger)

f. NCAA Division I Administration Cabinet. (Camille Richard)

g. NCAA Division I Recruiting and Personnel Issues Cabinet. [Supplement No. 11] (Audrey Piotrowski)

h. NCAA Division I Men's Basketball Issues Committee. [Supplement No. 12] (Kenny)

i. NCAA Division I Women's Basketball Issues Committee. [Supplement No. 13] (Baysinger)

5. Legislative issues. (Abbie Renaker and Kelly Groddy)

a. Legislative process overview. [Supplement No. 14] (Renaker)

b. Meeting procedure. (Renaker)

c. Review SAAC voting process. [Supplement No. 15] (Groddy)

d. Review of select proposals included in the 2008-09 legislative cycle. [Supplement No. 16] (Renaker)

[NOTE: Supplement No. 17 (Summary of Conference Positions) and Supplement No. 18 (Selected Proposals from NCAA Division I Official Notice) will be distributed at the meeting. Supplement No. 18 will also be available on the NCAA Web site November 15.]

e. Review NCAA 2009 Division I Convention overrides votes (NCAA Proposal No. 2007-30-c). [Supplement No. 19]

f. Preparation for the SAAC session at the Division I Forum.

6. Preparation for January 2009 NCAA Leadership and Legislative Councils and Board of Directors meetings. (Liaisons)

a. Discuss topics for joint luncheon session with Division I Leadership and Legislative Councils (Friday, January 16, 2009).

b. Discuss topics for joint breakfast session with Board of Directors (Saturday, January 17, 2009).

7. SAAC communications discussion. (Brian Alas and Dana Thomas)

8. SAAC priorities document. [Supplement No. 20] (Baysinger)

9. Report from 2008 Division I Regional Leadership Conference. (Baysinger)

10. Educational sessions.

    a. Emerging sports. [Supplement No. 21] (Karen Morrison)

    b. Green team initiative. (Robert Vowels)

    c. NCAA championship travel policies. (Kenny and Neault)

    d. Early offers of athletically related financial aid. (Kenny and Piotrowski)

    e. Update from Knight Foundation Commission on Intercollegiate Athletics Meeting October 27, 2008. (Kenny)

    f. Update from Faculty Athletics Representative Meeting November 13-15, 2008. (Baysinger and Trisha Gibbons)

11. Updates on previous, continuing and new issues.

    a. Web site. (Shukie)

    b. Time Demands Report reviewed at July 2007 joint SAAC meeting. (All)

    c. (CPR) cardiopulmonary resuscitation training and (AED) Automated External Defibrillators on campus and at practices to prevent life threatening cardiac arrhythmias. (Vowels)

    d. SAAC poster. (Alas)

    e. Discussion of best practices for developing a campus SAAC. [Supplement No. 22] (Renaker)

12. NCAA Division I Men's Basketball Academic Enhancement Working Group. [Supplement No. 23] (Kenny)
13. Feedback from 2008 fall Internet meeting. (Kenny and Renaker)

14. Anticipated 2009 NCAA Convention schedule. [Supplement No. 24] (Hollomon)

    a. Structure.

    b. Expectations.

15. Conference updates.

16. Future educational sessions.

    a. NCAA Division I Degree-Completion Program.

    b. Update on membership moratorium.

    c. Women's basketball model.

    d. Commercial Activities Task Force.

    e. Football Academic Working Group.

    f. Legislative requirements for changing academic degree program.

    g. NCAA legal counsel.

    h. NCAA marketing staff/corporate champions.

    i. NCAA Drug-Testing Program/Baseball Discussion Group.

17. Other business.

18. Dates and sites of future meetings.

    a. January 13-17, 2009, in conjunction with the 2009 NCAA Convention, Washington, D.C.

    b. July 16-19, 2009, Denver, Colorado.

    c. November 2009, Indianapolis, Indiana.

19. Adjournment.

MINUTES OF THE

NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

EXECUTIVE COMMITTEE

NCAA National Office
Indianapolis, Indiana

August 7, 2008

Participants:

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

Anthony DiGiorgio, Winthrop University, was 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 and education services/senior woman administrator (SWA); Dennis Cryder, senior vice president of branding and communications; Jim Isch, senior vice president of administration/chief financial officer (CFO); Corey Jackson, director of diversity and inclusion; Tom Jernstedt, executive vice president; Kevin Lennon, vice president of membership services; Keith Martin, managing director of finance and operations; Wallace Renfro, senior advisor to the NCAA president; Greg Shaheen, senior vice president of basketball and business strategies; Bob Williams, managing director of

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

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

The meeting was called to order at 2:15 a.m. by the chair, President Adams. All members were present as noted above.

1. Welcome and announcements. Adams welcomed members and staff to the meeting. He recognized President Eddie Moore, whose term of service is ending, for his commitment, service and leadership in advancing the ideals, values and goals of the NCAA. He also presented Moore with a service award.

2. Approval of April 24, 2008, meeting minutes.

   It was VOTED

   "To approve the Executive Committee minutes of the April 24, 2008, meeting as distributed."

3. NCAA President's report.

   a. Staff video. President Brand shared a specially produced video that highlights the NCAA national office staff and communicates the staff's common purpose and commitment to the student-athlete. The video is part of the 2008 NCAA brand campaign and is intended for internal staff usage.

   b. Facility expansion. Brand called on Bill Browne of Ratio Architects Inc. to provide a brief overview of discussions related to the expansion of the NCAA national office facility. Brand noted that the current facility does not adequately house the national office and eligibility center staff nor provide enough meeting space for committees. The new facility will highlight the educational mission of the Association and offer opportunities for closer ties to the campus of Indiana University – Purdue University at Indianapolis.

c. NCAA conflict of interest policies. Brand called on Franklin to discuss a draft conflict of interest policy for NCAA committees. Franklin noted that, over the past three months, an internal group engaged in a thorough review of existing conflict of interest policies. He noted variation in language and an overall lack of consistency across the committee structure. This draft policy speaks to the ethical and moral obligation associated with committee service, a general fiduciary duty and an obligation to disclose conflicts of interest and recuse where appropriate. The policy is broadly stated, recognizing the variances in committee function and the need for flexibility.

It was VOTED

"To approve the conflict of interest policy."

d. NCAA alcohol policy. Brand called on Shaheen to discuss the NCAA alcohol policy. The NCAA for years has banned sales and advertising of all alcohol at its 88 championships. The Association also limits broadcast advertising during championships to not more than 60 seconds per broadcast hour and two minutes in any championship telecast or broadcast. The Committee voted to reaffirm the alcohol policy and encourages member institutions to use the Association's policy as a guideline for reviewing their campus policies.

4. NCAA Executive Committee Finance Committee report.

a. Third quarter FY 2007-08 budget-to-actual. The Finance Committee reviewed third quarter budget-to-actual report with staff and feels comfortable that the Association is on track to meet its budget projections.

(1) Revenues. Results indicate the Association will exceed its revenue estimates for the fiscal year ending 2007-08. It has received 100 percent of the rights fee from CBS Sports and ESPN. The Association also has received some incremental revenue attributed to licensing and international television rights in the third quarter. It is expected fourth quarter revenues will be minimal in this area but will exceed planned expectations for the year.

It is anticipated that the Association will exceed its championships' revenue budget projections in the fourth quarter when a majority of the spring championships revenues will be received. The NCAA had strong 3rd quarter revenues as Men's Ice Hockey host revenue increased 18 percent over the prior year. Men's Lacrosse revenue was collected earlier than anticipated, and revenue results exceeded the plan. The committee noted

that the Association has not recorded its unrealized investment losses for the year, but only a minimal amount of investment earnings is included in the operating budget. The Association's investment earnings are allocated to the quasi-endowment. Finally, the $50 million of incremental planned revenue has been achieved for 2007-08 as of the end of the third quarter. The Association will have some surplus dollars at the end of our fiscal year.

(2) Expenses. Division I expenses are two percentage points above the prior year, primarily due to the increase in championship travel costs. More than one-half of the revenue distribution expenses to conferences and member institutions will occur in the fourth quarter.

Division I Men's Basketball game expenses have increased due to the stadium seating and uplink expenses. The investment in the stadium seating has a direct correlation in the Division I Men's Basketball revenue projections. The overall revenue projections increased approximately $10 million, and the financial results have been achieved.

Division I championships travel is anticipated to exceed its planned budget as year-to-date travel costs have increased 25 percent over the prior year. Travel cost is an area that will require close attention. The committee noted the need to make some adjustments in championships policies in order to minimize the financial risk. Division II also has a double digit increase in its travel costs, and it also made a supplemental distribution back to the membership from prior year surpluses. There are adequate reserves and resources to cover any budget variance from the Division II allocation. Division III has maintained its travel cost increases within single digits and will likely stay within budget allocations. However, the division does have adequate reserves in the event of any budget variance.

The Association-wide expenses of approximately $87.6 million are within the budget parameters, and the year-to-date actual Association-wide expenses have decreased from the prior year due to a decrease in legal expenses. Based on the third quarter financial results, the Association will stay within budget parameters and will likely have a year-end surplus for FY 2007-08. The Audit Committee will review the audited financial results for FY 2007-08 at its December meeting, and the Executive Committee will review the audited statements in January 2009.

b. Officiating plans. The Committee received an update on the College Football Officiating, LLC (CFO), a collaborative effort between the Collegiate Commissioners Association (CCA) and NCAA to improve the level of college football officiating and to create a central authority to monitor and correct inconsistencies nationally. The CFO was created to ensure consistent application of NCAA football playing rules and officiating mechanics, establish a central leader for officiating, enhance the existing conference officiating programs and to ensure officials and conferences adhere to NCAA and CCA policies. Additionally, the CFO hopes to best position the officiating community for the future in an attempt to present student-athletes, coaches and fans with the best experience possible.

5. Report from Executive Committee working group on life and work balance issues. The Committee received the working group's final report. In January 2007, the NCAA Executive Committee charged a working group, chaired by President Carol Cartwright, to oversee the implementation of life and work balance recommendations from a previous task and to engage the divisional governance bodies on this important issue.

The working group discussed the competitive nature of intercollegiate athletics and the impact this culture may have on an individual's attempts to appropriately balance personal and professional interests. The group noted that any new initiative should be multifaceted, and provide an educational framework that could guide an individual's decision-making process. The group noted that a multifaceted approach includes legislative proposals, engaging dialogue and collaborating with affiliate organizations.

To this end, the working group developed a philosophy statement indicating the NCAA's commitment to supporting an inclusive culture that fosters opportunities for growth, development and well-being. The Association also supports the concept of institutional autonomy and recognizes the responsibility of each institution to address these issues at the campus level. The working group reported on the development of several initiatives that are designed to continue raising the level of exposure of this very important issue, including a comprehensive resource Web site, and train-the-trainer workshops.

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

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

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

(1) Controlling goals. Reviewed the three controlling goals for the Association for the next three to five years, which are:

(a) Complete this cycle of academic reform;

(b) Subserve all business, corporate and championships efforts and decisions, especially those concerning basketball, to positioning for and negotiating new media contracts; and

(c) Focus on issues related to student-athletes and athletes personal well-being.

(2) Sportsmanship and negative fan behavior. Discussed the issue of sportsmanship and negative fan behavior and agreed to establish a subgroup of the Board to help to further define the associated issues and identify the NCAA's role, if any, in helping to address these issues.

(3) Division I Task Force on Commercial Activity. Received an update on the work of the Division I Task Force on Commercial Activity in Intercollegiate Athletics, which is charged with developing principles that indentify the balance point between crass commercialism and unrealistic idealism.

(4) Fantasy leagues. Received an update regarding a recent ruling by the 8th Circuit Federal Court of Appeals in which the court applied Missouri state law to professional fantasy leagues. This has led fantasy sports games distributors to conclude that offering a college football fantasy game that includes names and game statistics of college student-athletes would be consistent with the ruling. The Board discussed the fact that this court ruling may conflict with current NCAA amateurism bylaws.

(5) Division I Men’s Basketball Academic Enhancement Group. Received an update on the ongoing work of the Division I Men's Basketball Academic Enhancement Group. This group has been charged with identifying ways to enhance the academic progress and graduation rates in men's basketball. The Board discussed the importance of this work to the broader academic reform agenda.

(6) Division I Committee on Academic Performance (CAP). Received a report from the CAP and approved a number of changes to the committee’s composition. The CAP anticipates an increase in the number of academic performance program penalty appeals as more severe sanctions are implemented.

(a) Approved, in principle, the Academic Performance Program policies and procedures, which include the procedures for Occasion-Three and Four Historical Penalty Waivers and Appeals but asked the committee, the NCAA general counsel's office and selected Board members to seek to further develop the language regarding the specific standard for appeal and to report back to the Board with that language at its October meeting.

(b) Supported the concept of permitting access to archived NCAA Division I Academic Progress Rate reports (including coaches' names) via the NCAA Web site to provide easier access for institutions conducting research during a coaching search and suggested the committee work with a small group of Board members and staff from the general counsel's office to consider a process, whereby APR Rates are assigned to coaches.

(c) Approved legislation to establish a definition of "education-impacting disability" as a current impairment that has a substantial educational impact on a student's academic performance and requires accommodation. This language will replace all references to "learning disabilities."

(7) Oversight and Monitoring Group. Received a report from the Oversight and Monitoring Group, which is the body charged with monitoring consideration by the governance structure of the recommendations of the Presidential Task Force on the future of Division I athletics. The Board received the good news that of the 62 initiatives identified by the task force nearly all have been considered or are in the process of being considered.

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

(1) Presidents Council election. Elected David F. Rankin, Southern Arkansas University, to serve as the new representative for Region 2. Dr. Rankin replaces John Cavanaugh, University of West Florida, who recently took the job as president of the Pennsylvania State System.

(2) Division II strategic plan. Met Wednesday evening to begin its review and provide input into the work that the Division II Strategic Planning Advisory Group has begun relative to the 2009-2012 strategic plan and its alignment with the Division II strategic positioning platform. The Presidents Council agreed with the five stated goals of academics and lifeskills;

athletics operations and compliance; game day and championships; membership and positioning initiatives; and diversity and inclusion. It is working toward having the plan in its final stages by the 2009 NCAA Convention.

(3) Make-A-Wish. Received a report that this year, under the leadership of the Division II Student-Athlete Advisory Committee, Division II student-athletes raised over $280,000 for the Make-A-Wish Foundation. It is the highest amount raised since the Division II relationship with Make-A-Wish began in 2003-04. Over the five-year relationship with Make-A-Wish, Division II student-athletes have collected more than $733,000. The amount raised by Division II is one of the largest grass-roots contributions to Make-A-Wish.

(4) Travel stipend. Approved a one-time allocation to institutions this year to help defray rising travel costs for athletics competition. The four-tiered allocation is based on the average distance between member institutions within a conference. While the dollar amounts of the allocations have yet to be determined, the highest distributions would go to schools in conferences with average travel distances for conference games of greater than 300 miles. The second greatest amount would go to institutions in conferences with average travel distances of greater than 200 miles. The other tiers are for average travel distances of greater than 100 miles and fewer than 100 miles. Given the tough economic climate that is compounded by rising fuel and other travel-related costs, the Council believes the one-time distribution is the best use of the membership fund balance from the 2007-08 budget.

(5) Membership destination. In an effort to continue Division II's work in demonstrating the division as a membership destination, agreed to pilot this fall an opportunity to support, through direct funding, the Dixie Rotary Bowl game. The game features competition between members of the Rocky Mountain Athletic Conference and the Great Northwest Athletic Conference. The Presidents Council sees this game as an opportunity to showcase the Division II identity and invite schools, colleges and universities in the west to see and understand the value of the Division II experience.

(6) Game environment. Received a report that Division II presidents and chancellors are signing a game-environment pledge to strive to provide a positive game atmosphere at all Division II athletics events. The pledge states that athletics events should reflect the values of higher education

and the mission of each institution. The game environment effort is connected to the division's community engagement initiative. As we hold athletics as the institution's front porch to the community, we want to ensure that, when the community attends our events, it is a positive and entertaining experience.

(7) Division II National Championships Festival. Received a report that, this past spring, Division II hosted its third National Championships Festival in Houston, Texas. The division crowned champions in men's and women's golf, men's and women's tennis, women's lacrosse and softball. Previous championships festivals occurred in the fall 2006 in Pensacola, Florida, and May 2004 in Orlando, Florida. The division is set to conduct its first winter championships festival in March 2009 in Houston and will host championships in men's and women's swimming and diving, men's and women's indoor track and field and wrestling. The festivals not only highlight the great athletics competition in Division II but demonstrate the division's commitment to community engagement. This past May, in Houston, student-athletes took part in building 10 homes for Habitat for Humanity and participated in youth clinics with local school children. The National Championships Festivals continue to be an important part of the Division II identity and its strategic direction.

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

(1) Membership growth. Reviewed a series of white papers on membership growth and related issues. The Wednesday evening President's Advisory Group included a thorough review of papers on the Division III philosophy and related role of presidents in governing the division, financial aid standards, academic report and eligibility issues, and membership requirements. The Presidents Council will finalize the white papers based on the advisory group's feedback and distribute to the full membership in the next month in order to establish context for the 2009 Convention discussions on this topic.

(2) Legislative proposals. Considered five proposals to sponsor for the 2009 Convention. It agreed to sponsor legislation to:

(a) Remove archery, badminton, synchronized swimming and team handball from the list of emerging sports for women.

(b) Add equestrian to the list of emerging sports for women.

(c) Specify that the end date for the fall nontraditional segment shall be the first date of final exams for that term.

(d) Establish October 15 as the first date of practice in ice hockey.

(e) Require that all head coaches be certified in first aid, cardiopulmonary resuscitation and automatic external defibrillator use.

(3) Drug education and testing pilot. Received an update on the drug education and testing pilot, noting that the first of two years has been completed. The Council examined preliminary year one testing results and considered recommended protocol changes for the pilot's second year. A comprehensive year one report will be presented to the Presidents Council during its October meeting.

(4) Strategic plan. Reviewed the division's 2008-10 strategic plan, noting a commitment to release an inaugural Division III annual report at the 2009 Convention. The report will include updates on the Division III budget, strategic initiatives and championships program.

8. NCAA Executive Committee Subcommittee on Gender and Diversity Issues. The Committee received a report from the NCAA Executive Committee Subcommittee on Gender and Diversity Issues. The subcommittee received a series of updates on diversity related programming and highlighted the Women's Coaches Academy and the Football Coaches Academies. The subcommittee noted that the Women's Coaches Academy has grown significantly with participation increasing each of the past five years, exceeding 400 coaches with this summer's events. The subcommittee noted an ongoing need for mentoring opportunity for female coaches, as well as the need for the development of best practices resources from experienced coaches.

The subcommittee provided an update on the number of African-American head football coaches in all three divisions and also discussed the three academies designed to develop minority football coaches. The Future Football Coaches Academy is designed to assist individuals who have recently completed collegiate eligibility and have a desire to enter the college football coaching profession. A unique aspect of this program is the mentoring opportunities that the faculty provides to participants. The Football Coaches Academy is designed to assist ethnic minority football coaches with career advancement through skills enhancement, networking and exposure opportunities while raising awareness regarding the substantial pool of talented ethnic minority coaches. Interested applicants must have one to eight years of college coaching experience. Finally, the Expert Coaches Forum assists ethnic minority football coaches with career advancement.

through skills enhancement, networking and exposure opportunities while raising awareness regarding the substantial pool of talented ethnic minority coaches. Interested applicants must have at least eight years of college coaching experience.

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

10. Adjournment. Adams convened a brief executive session and adjourned the meeting at 4:15 p.m.

# # # # #

National Collegiate Athletic Association

Executive Committee

CONFLICT OF INTEREST POLICY

Conflict of Interest Statement

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

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

Committee members have a fiduciary duty to the Association not to use knowledge or information obtained solely due to service on that committee to the disadvantage of the Association during the term of committee service. Further, a Committee member shall not participate in the committee's discussion or vote on any action that might bring direct or indirect financial benefit to the member or any organization in which the member is financially interested (other than the member's institution or the conference of which it is a member). A violation of this rule by a member of the committee shall not invalidate the action taken by the committee if, following disclosure of the conflict of interest, the committee authorizes, ratifies or approves the action by a vote sufficient for the purpose, without counting the vote of the committee member with the conflict of interest, and the appropriate oversight body approves the action.

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

Speaking Agent Policy

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

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

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

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

REPORT OF THE NCAA MINORITY OPPORTUNITIES AND INTERESTS COMMITTEE (MOIC)

***ACTION ITEMS*.**

None.

***INFORMATIONAL ITEMS*.**

Association-wide.

1. **Review of the MOIC report.** The chair of the MOIC highlighted information that was discussed during the June 2008 meeting. The committee discussed the NCAA national office diversity statement and letters to the Faculty Athletics Representatives Association and NCAA senior woman administrator.

2. **Committee on Women's Athletics (CWA).** The MOIC reviewed the July CWA report.

   a. The committee supported the legislation on postseason events – criteria for establishment or continuation of championships – exception for women's sports – removal of year. Specifically, the legislation will amend NCAA Divisions I, II and III Bylaws 18.2.4.1 to remove the years associated with the regulation that specifies that a national collegiate championship or a division championship may be established in a women's sport in which the Association does not already conduct a championship if at least 40 institutions sponsor the event.

   b. The committee reviewed the legislation on membership – definitions and applications – emerging sports for women – sand volleyball, archery, badminton, synchronized swimming, and team handball. The CWA recommended adding sand volleyball to the list of emerging sports for women; further, to remove archery, badminton, synchronized swimming and team handball from the list of emerging sports for women. The committee discussed the financial impact this legislation would have in Division III with regard to sand volleyball (having to build the stage and providing new equipment). The committee also discussed increasing participation of women of color in non-traditional sports and looks forward to working with CWA on this issue.

   c. The committee reviewed the legislation on membership – definitions and applications – emerging sports for women – equestrian. The CWA recommended sponsoring legislation to add equestrian as an emerging sport for women. The rationale for this legislation is that several Division III institutions sponsor equestrian, although it is not recognized as an NCAA sport. The MOIC wanted to know if diversity was considered with regard to this proposal. In addition, the

MOIC would like to see what kind of outreach is available to introduce this sport in underserved communities.

3. **Review of Executive Committee Subcommittee on Gender and Diversity Issues report.** The MOIC discussed the subcommittee's stance regarding Hispanic-serving institutions. The MOIC noted the guide for NCAA student-athletes is not available in Spanish, and the committee should discuss this issue with the NCAA Eligibility Center. In addition, the MOIC believes the Association should consider doing some public service announcements in Spanish in order to improve outreach to the Hispanic/Latino community. Lastly, many Historically Black Colleges and Universities (HBCUs) have a large Hispanic/Latino student-athlete and coaching population, and diversity and inclusion may want to reach out to those institutions as well.

4. **NCAA Fellows Leadership Development Program (Fellows).** The committee discussed the eligibility status of NCAA national office staff for the Fellows Program. The eligibility standards state that athletics administrators at an NCAA member institution or conference office are eligible to apply. The MOIC agreed to allow NCAA national office staff members to be eligible for selection to the program, with a maximum of one current NCAA staff member per class.

5. **Matching grants for minority women coaches.** The question was brought forth to the committee regarding the level of involvement that the selection committee for matching grants would have in the future (e.g., specific advice on curriculum, more direct line of contact between selection committee and organizations seeking the grant) and whether it is beneficial to place specific standards on events/programs funded by the grant (e.g., number of participants). The committee believes that reaching out to work directly with potentially grant-funded organizations would be positive, in part, by increasing the likelihood that more organizations can better meet the grant objectives and, thereby, better ensure that funding for such programs will remain in place for the future. The committee also suggested that attendance by committee members at grant-funded events would be another positive method to ensure programs are meeting grant objectives while, at the same time, providing valuable, first-hand feedback for the future. Ultimately, the group voted to refer the topic to MOIC's Athletics Opportunities for Women Subcommittee for further discussion. Regarding the addition of specific standards, the committee did not feel this would be a beneficial change, as each given proposal can represent unique needs and outcomes.

6. **Football Presentation.** The staff provided the committee with an overview of a presentation given to the Executive Committee Subcommittee on Gender and Diversity Issues titled: Head Coaches of Color in the Sport of Football. The MOIC expressed the need to see more coaches of color at the assistant coordinator position. The committee acknowledged there are not many student-athletes of color participating in football at Division III schools; therefore, that may be a reason for the lack of coaches of color coming back to work for Division III programs. In addition, the staff provided to the MOIC a list of programming for football coaches through the diversity and inclusion department at the national office. Some notable highlights include the Future Coaches Academy, Football Coaches Academy and Expert Coaches Forum.

7. **Committee on Competitive Safeguards and Medical Aspects of Sports (CSMAS).** The CSMAS staff liaison provided a brief summary of the risks of sudden cardiac arrest (SCA) and how the MOIC and CSMAS can work together on this issue. SCA kills more people every year than any other cause of death in the United States. Specifically, every three days a competitive athlete suffers from SCA in the United States, and only 11 percent survive. In athletics, SCA disproportionately affects student-athletes of color and, with more women competing in athletics, there is an increase in numbers of women suffering from SCA. In particular, 55 percent of whites and 42 percent of blacks die from SCA. Additionally, African-Americans are at high risk for SCA due to the presence of the sickle cell trait. It was noted that in all of the deaths that occurred in intercollegiate athletics, an athletic trainer was present. The MOIC would like to see legislation put forward for football to deal with heat related issues that cause SCA, as well as conduct screenings in advance to identify and catch pre-existing conditions. Staff informed the MOIC that Division III plans to require head coaches to become certified in first aid; the legislation will be presented in January at Convention. The MOIC discussed drafting a statement that expresses the need for automated external defibrillators for all athletics departments, as well as first aid certification for all coaches.

8. **HBCUs.** The staff reviewed the NCAA's enforcement process and discussed the perception that HBCUs are disproportionately impacted by the enforcement process. The staff noted that there were slightly more HBCUs involved in the enforcement process within the Division II membership than Division I. The staff informed the committee that many of the HBCU cases were the result of information being reported to the enforcement staff and subsequently corroborated through various sources.

9. **Leadership Institute for Ethnic Minority Males and Females.** Staff provided an update on the Leadership Institute for Ethnic Minority Males and Females that is designed

to address the critical shortage of senior-level professionals of color in athletics administrative staff at NCAA member institutions and within conference offices. This program is administered by diversity and inclusion. The institute prepares diverse leaders through a 12-month leadership training and skills development experience and enhanced job-related competencies in selected areas through completion of four professional development sessions, practical work and a week-long intensive workshop. The staff informed the MOIC of the eligibility requirements and ways to expose institute graduates to the membership.

10. **NCAA Internship Program.** Staff provided an overview on the NCAA Internship Program that is administered by diversity and inclusion. The internship is a year-long experience at the national office that provides on-the-job opportunities for college graduates from a four-year NCAA member institution for individuals who express an interest in pursuing a career in the administration of intercollegiate athletics. Sixteen interns are employed at the national office, while three are at the NCAA Eligibility Center. The staff reviewed the eligibility requirements, number of applications submitted, number of interns who have come through the program, and the hiring success rate within intercollegiate athletics. In addition, the staff noted the diminishing number of racial/ethnic minorities applying to the internship program. The MOIC discussed methods of getting more student-athletes of color to apply to the internship program.

11. **Approved Budget Items.** The committee discussed two recommendations that were put forward: Future Athletics Administrators Program and the HBCU grant. The Future Athletics Administrators Program was not funded; however, the MOIC believes that modifications to the program may result in funding in the future. The MOIC supported the increase in funds for diversity education so that more Division II and III institutions could take advantage of this program.

12. **Review of MOIC and CWA Association-Wide diversity initiatives.** The staff provided an update of all the programs and initiatives that will foster and enhance professional opportunities for ethnic minority administrators and coaches. These programs are administered by the NCAA diversity and inclusion department. The committee reviewed the eligibility requirements, number of individuals served over the years, program accomplishments, metrics of success and concerns for the future. Notable highlights included the Ethnic Minority and Women's Enhancement Postgraduate Scholarship for Careers in Athletics; Division II Strategic Alliance Matching Grant Enhancement Program; Division III Strategic Alliance Matching Grant; and the Women's Coaches Academy. In addition, the committee discussed the need for an academy for coaches of color and women in Olympic sports.

13. Proposed MOIC Legislation Updates. The MOIC received feedback on a legislative proposal to amend Article 3 of the NCAA Constitution – conditions and obligations of membership - from the NCAA Division I Administrative Committee (of the former Division I Management Council) and the NCAA Divisions II and III Management Councils. The MOIC discussed several issues surrounding this proposal, such as: type of information required for submission; oversight of the information after submission; difference between the information requested in this proposal and the information collected in the Divisions II and III Institutional Self-Study-Guide; and any budget implications that were not mentioned in the proposal. However, the MOIC tried to balance those issues against the interests of those that want to ensure athletics departments are not circumventing their institutional hiring practices and that diversity is considered during the hiring process. Therefore, the MOIC's subcommittee on legislation and governance will seek additional feedback from interested parties as the subcommittee re-evaluates the legislative proposal.

The committee reviewed proposal 2008-10 from the Southern Conference to establish a program by which a minority graduate assistant coach position is awarded annually to each NCAA Division I Football Championship Subdivision conference and to establish the parameters of the program and position. The committee was supportive of the concept as an opportunity to increase diversity in football coaching positions but did not support the proposal as written. The committee was unclear as to how the selection process would occur at the conference level, and raised concerns about the potential for a competitive advantage gained by those institutions to which the graduate assistant coach was assigned. The committee also noted that while diversity continues to be a primary concern specifically as it relates to head coaching positions in football, other sports also are lacking in diversity and could benefit from a more broadly defined program.

14. MOIC Hot Topics for 2008-09. The committee discussed hot topics in the following areas: legislative, programmatic, Convention, community outreach and research. The chair delegated the hot topics to specific MOIC subcommittees to take the lead. In addition, the development of a short- and long-term strategy to promote the MOIC initiatives was delegated to the professional development subcommittee.

15. Committee Vacancies. Staff provided the committee with diversity information on all committee appointments from 1997-2007. The MOIC discussed how it wants to approach the lack of diversity within governance committees and the lack of ethnic/racial minority athletics administrators at NCAA member institutions.

Committee Chair: Rudy Keeling, Eastern College Athletic Conference
Staff Liaisons: Corey Jackson, Diversity and Inclusion (primary); Joyce Thompson, Enforcement Services

Statement of Travel Industry Trends and Status of Recommendations

NCAA championships have been impacted by significant changes in the travel industry.

In 2007-08, NCAA championships travel costs increased approximately 23 percent for all divisions compared to the previous year; 31 percent for Division I, 13 percent for Division II and 7 percent for Division III.

Contributing to the high costs of championships transportation has been a reduction in flight capacity. Commercial flight seats (domestic) in the fall of 2008 are projected to decrease by approximately 10 percent (20 million seats) over the same period last year (fall 2007) [1], with the possibility that some cities, accessed for championships travel, will experience capacity losses on a far greater scale. These challenges require both short- and long-term evaluation and action.

Subsequent to the Executive Committee Finance Committee action on September 12, 2008, an introductory presentation was made by staff to each divisional championship governance body at their respective September, 2008 meetings. The presentation included the Travel Cost Management/Airline Capacity Recommendations (the "Recommendations"), relevant background information in support thereof, and a discussion of the potential impact on the delivery of the championships.

The Recommendations are divided into three "tiers" based on the level of approval required, the governance timeline, and the desire to balance the sense of urgency with deliberation and consultation with the membership. Tier-one includes measures the staff has begun to implement through the application of revised travel administrative procedures. The Division I Championships/Sports Management Cabinet took action to approve the tier-two recommendation (extending fly/drive mileage threshold) for Division I 2008 fall championships. The cabinet will evaluate the impact of the changes on the fall championships prior to making a decision on the winter and spring championships. This evaluation will be done concurrently with the review of tier-three recommendations, which are being reviewed by the membership.

At the time of this status update, with the response due date ahead, the majority of the responses are expressing general support for the Recommendations in context with the travel industry trends. Specific comments have been made regarding impacts on individual sports and are being noted and logged for further review and consideration in accordance with the timeline directed by the Executive Committee Finance Committee.

---

[1] Beckerman, David. "Ten Year View." Official Airline Guide. 2008 OAG Worldwide Limited. 5 August 2008. <http://www.oag.com/oagcorporate/pressreleases>

FY 2008-2009 Budget

Championships Travel Strategic Review

DATE	COMMITTEE/STAFF	ACTION
Sept 8-12	Executive Committee Finance Committee (ECFC)	1) Statement of travel industry trends: increasing costs/declines in capacity. 2) Explanation of tiers 3) Implementation timeline 4) Request that ECFC approve travel review with discussions occurring at Oct. presidential meetings.
Sept 12	NCAA Staff	1) Letter to divisional championship cabinets/committees and sport committees 2) Letter to conference commissioners 3) Copy letter to chairs of LC and MC
Sept 16-17	Championships Cabinet /Championships Committees (CC)	4) Statement of travel industry trends: increasing costs/declines in capacity. 2) Explanation of tiers 3) Implementation timeline 4) Explain Tier 1 and request CC support of Tier 2 recommendations. 5) Seek other recommendations from CC
Sept 22-26	NCAA staff	NCAA news article
Oct 1-2	NCAA staff	Presidential newsletter
Oct 20-21 Nov 5	Management Councils (MC) Leadership Council (LC)	1) Statement of travel industry trends: increasing costs/declines in capacity. 2) Explanation of tiers 3) Implementation timeline 4) Explain Tier 1 and request LC support of Tier 2 recommendations from CC
October 30	Divisional presidential bodies	1) Statement of travel industry trends: increasing costs/declines in capacity. 2) Explanation of tiers 3) Implementation timeline 4) Explain Tier 1 and Tier 2 recommendations; refers Tier 3 recommendations to divisional governance structure for action.
October 30	Executive Committee (EC)	Report of presidential bodies' action.
Nov	Championships Cabinet and Committees	Prioritize Tier 3 recommendations to presidential bodies
January 14	Management Council	Review actions of Championships Cabinet/Committees
January 15	Leadership Council	Review actions of Championships Cabinet/Committees
January 15	Presidential bodies and EC	Receive recommendations and take action if appropriate

The National Collegiate Athletic Association
September 9, 2008 JBC:ks

Travel Cost Management/Airline Capacity

	Tier-One Recommendations: Proposals to bring focus and awareness of actions which will contain costs and/or provide greater flexibility to airline travel options. Staff action/no legislative action needed.	**Division**	**Approval Required**	**Targeted Implementation**	**Estimated Impact**
1	**Encourage Championship Managers and Sport Committees to consider:** **- Revising selection times to allow a minimum of 48 hours between selection release to the time a team has to depart for competition site.**	All	Staff	Fall 2008	Prospective
2	**Encourage Championship Managers and Sport Committees to consider:** **- Timing of first practice session or team assigned to that practice if it could allow for better transportation alternatives.**	All	Staff	Fall 2008	Prospective
3	**Encourage Championship Managers and Sport Committees to consider:** **- Avoid obvious capacity conflicts in air travel (e.g., common Spring Break destinations mid-March through mid-April and high cost cities with little capacity) .**	All	Staff	Fall 2008	Prospective
4	**Amend Travel Policy that NCAA shall reimburse for incremental commercial airline baggage charges for a maximum of two (2) bags per traveler, including any sports equipment (e.g., Golf Clubs, Bat Bags).** May be some reasonable accommodation where specific sports equipment presents practical difficulties-- at discretion of staff.	All	Staff	Fall 2008	Hypothetical $1.5 million expense

5	**Explore options to "bulk" ship equipment from campus to the Championship sites by more efficient modes of transportation (e.g., truck, air-freight). If successful, establish Travel Policy that where this bulk ship option is available, the <u>NCAA shall reimburse the lesser</u> of the bulk ship amount or the incremental cost by an airline or charter transporting the travel party.** First contact will be with NCAA Corporate Partner **Enterprise,** school would retain custody of equipment and provide driver, in this example. FedEx, UPS and others would be likely additional contacts. NCAA staff will have discretion to consider cases where this is not a viable alternative.	All	Staff	Fall 2008	Significant ($10,000 per trip)
6	**Implement the use of "Bracketing" software (NCAA proprietary software currently developed) as a tool for all Sport Committees in determining brackets and preliminary round match-ups. (Has fly-drive and length - of-flight positive implications.)** Software provides for instant mileage calculations from participant campus to campus/host sites. Cost per mile can be built into the functionality, but for now a manual application of distance multiplied by cost can be useful. Average Cost per mile for charter and commercial air travel needs to be computed.	All	Staff	Fall 2008	Tool to minimize flights and flight distances
7	**Continue to work with airlines and charter companies to enhance or expand discounts.**	All	Staff	Fall 2008	Prospective

	Tier-Two Recommendation: Proposal to be presented for Division I governance bodies approval in order to contain costs and/or provide greater flexibility among airline/ground transportation options.	**Division**	**Approval Required**	**Targeted Implementation**	**Estimated Impact**
1	**Increase Travel Policy mileage limitation threshold from 350 miles to 400 miles (excluding Division I Basketball). Additionally, increase the policy regarding ground commute from nearest airport to site from 120 to 150 miles and add discretion for travel staff to increase the mileage (minimally) as needed.** *D-II and D-III currently impose a commute at 150 miles, so this would be bringing it to a consistent level.*	Division I	Governance	Fall 2008	$500,000

	Tier-Three Recommendations: Proposals for discussion by divisional governance bodies, for consideration.	**Division**	**Approval Required**	**Targeted Implementation**	**Estimated Impact**
1	**Consider increasing Travel Policy mileage limitation threshold from 300 miles to 350 miles for Division I Men's and Women's Basketball. Additionally, consider increasing the policy regarding ground commute from the nearest airport to site from 120-150 miles and add discretion for travel staff to increase the mileage (minimally) as needed.**	Division I	Governance	TBD	$825,000

2	**Award regional championship sites to a participating team who resides in a more centrally geographic location in the region regardless of seeding considerations. Additionally, select sites two weeks in advance of the selections of teams.** Other regionalization principles of Division II would remain in effect.	Division II	Governance	TBD	$437,200
3	**The number of seeded teams shall be limited to twenty-five (25) % of the bracket and all sports including "revenue generating" sports must adhere to the selection "Working Principles" approved by the Championships/Sports Management Cabinet. Combined with the "first-step" set forth above, amend Working Principle #4 to specifically clarify that geographic proximity is a factor for all sports, revenue generating included, in the bracket pairing process and should be emphasized at the sport committee level.** **Exception:** Division I Men's and Women's Basketball. **Significant Impact:** Baseball, Ice Hockey (M) and Lacrosse (M-W) will be most affected by this Proposal.	Division I	Governance	TBD	$631,600
4	**Eliminate the application of Working Principle #2 (Avoiding conference matchups) where it has been extended to include second round contests in the Championship bracket for certain sports.** For example, two teams from the same conference can be assigned to same Regional, but not meet in the first game. **Exception:** Division I Men's and Women's Basketball **Significant Impact:** Soccer (M-W), Volleyball (W), Football, Ice Hockey (M), Softball and Baseball will be most affected by this Proposal.	Division I	Governance	TBD	$517,894

5	**Establish policy regarding limitation on frequency of selecting Championship sites in high-cost destinations (e.g., Swimming/Seattle); on moving Championships to locations more remote from heavy concentration of likely participants (e.g., Lacrosse/East Coast); or on hosting frequency of selecting hosts who are not in the continental US.**	All	Governance	TBD	Prospective
6	**Establish policy amending the "Championship date formula" to exclude the days including Wednesday through Sunday of Thanksgiving week (for applicable sports) as game or travel days. If competition on this weekend is absolutely necessary, contest should be scheduled excluding air travel or to facilitate travel on Thursday and Saturday or Sunday. No air travel should be scheduled for Wednesday.** **Exception:** Football (All Divisions) **Significant Impact:** Soccer (M-W) will be most affected by this Proposal.	All	Governance	TBD	Prospective
7	**Impose a moratorium on any new Bracket expansion requests by Sport Committees through the 2012-13 Championship Cycle (co-terminus with CBS contract term).**	All	Governance	TBD	Prospective

CONFIDENTIAL ATTORNEY/CLIENT PRIVILEGED

MEMORANDUM

November 3, 2008

TO: NCAA Division I Leadership Council.

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

SUBJECT: Summary of Legal Activity.

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

The NCAA is currently a defendant in 15 active cases. Five new cases were filed this quarter, two of which were resolved favorably.

New Cases

Dale Lloyd, a football student-athlete at Rice University, died approximately two years ago after collapsing following a football practice. His parents have filed a lawsuit in Texas state court against Rice, the team coach, physician, trainer, supplement manufacturer and the NCAA. They allege the NCAA was negligent in failing to create and/or implement adequate policies and procedures to address the known dangers of sudden death from sickle cell trait and/or rhabdomyolysis. Plaintiffs seek compensatory damages for loss of earnings, pain and suffering and medical and funeral bills.

Ben Mauk, a football student-athlete at the University of Cincinnati ("UC") sought and received a temporary restraining order from an Ohio state court restraining the NCAA from enforcing its rules and allowing him to practice and compete there although he had exhausted his seasons of eligibility. He alleged that the NCAA breached its fiduciary duty and arbitrarily and capriciously denied his request to participate in an additional year of athletics competition. He claimed he was injured his first year of competition at Wake Forest University where he played his second and third years before allegedly suffering additional injuries his fourth year. He transferred to UC where he played an additional year. UC requested a waiver to permit Mauk a sixth year of eligibility to compete in a fourth year of athletics which was denied as was an appeal to the NCAA Student-Athlete Reinstatement.

On September 9, 2008, the NCAA's motion to dismiss this case was granted by the court. However, Mauk had previously filed a motion for contempt against the NCAA and its outside counsel,

claiming they sought to persuade UC not to allow him to play. That motion is set for hearing on November 20, 2008. The court has said that a final, appealable order will not be issued until after the motion for contempt has been ruled upon.

Warrior Sports, Inc., a manufacturer of lacrosse sticks has filed a lawsuit in federal court in Michigan challenging the NCAA's Men's Lacrosse Rules Committee's decision to implement a change in the configuration of the head of lacrosse sticks beginning in 2010. Warrior alleges that the action violates the antitrust laws by restraining trade and eliminating competition between manufacturers as only one lacrosse head type will be permitted. It also claims that it constitutes tortious interference with a business relationship as it will lead to disruption and termination of Warrior's business relationships, and that because Warrior reasonably relied on the NCAA's promise that it would enforce its equipment rules and Warrior developed product in reliance on those rules, that promissory estoppels prevents a rule change now. Warrior claims $30 million in damages.

Resolutions

Michael Glover, a men's basketball student-athlete at Seton Hall University, was declared academically ineligible to compete his first year. Glover sought a temporary restraining order against the NCAA and the Big East Conference in federal court in Rhode Island allowing him to practice and compete his second year which is not permitted by Big East rules as he is permanently ineligible to compete in that conference if initially academically ineligible. Glover therefore sought to be declared retroactively "qualified" to play under the NCAA bylaws. He also sought to enjoin the NCAA and Big East from interfering with his financial aid and his participation in intercollegiate athletics. He further sought compensation equal to four years tuition at Seton Hall. Glover's motion for a temporary restraining order was denied on August 29, 2008. The court granted the NCAA's and Big East's motions to dismiss for lack of jursidication on October 14, 2008.

Colin Peek, a football student-athlete, transferred from Georgia Tech to the University of Alabama He was required to sit out the 2008 football season pursuant to NCAA Bylaw 14.5.2.10 (the one-year residency requirement). Alabama sought a waiver which was denied by the NCAA. The court denied plaintiff's motion for a preliminary injunction on September 11, 2008. Plaintiff filed a dismissal of the lawsuit on September 29, 2008.

Recent Developments

The unsuccessful applicants for Men's and Women's Final Four and Men's Frozen Four tickets in the George class action lawsuit against Ticketmaster and the NCAA who claim the distribution method is an illegal lottery filed a second amended complaint on September 9, 2008, which no longer alleges a RICO violation by the NCAA.

The trial in the Houston Baptist University lawsuit, challenging the seven-year probationary period in Division I for new and returning members, is currently set for November 11, 2008, in state court in Texas.

The Oklahoma State baseball student-athlete, Andrew Oliver, who is challenging the NCAA's agent rule and procedures followed in the NCAA's investigation of his contact with a major league team, voluntarily dismissed the NCAA from his Ohio federal court lawsuit. However, on the same date, he re-filed the action in Ohio state court and received a TRO restraining the NCAA from continuing its investigation into possible rules infractions and allowing Oliver to practice and play. That TRO was subsequently dissolved by the court. Oliver has filed numerous procedural motions which have not been granted. The matter is set for trial on December 8, 2008.

EKC:lev

cc: Selected NCAA Staff Members.

NCAA GOVERNMENT RELATIONS REPORT
(September 2008)

1. Congressional Overview.

Congress returned to Washington, DC for legislative business on September 8, 2008, after its annual August break. This break included a five week recess during which the Democratic and Republican National Conventions were held and the parties officially nominated their candidates for vice president and president. With 435 seats in the House of Representatives and 35 seats in the Senate up for election, many are already looking toward a competitive election cycle. However, Congress has several important matters to address prior to their target adjournment date of September 26, 2008.

Among the top agenda items, in addition to any legislation needed to address the recent financial markets situation, is the need to keep the government running when the new fiscal year begins on October 1, 2008. To date, the fiscal 2009 appropriations bills still remain to be enacted and as a result a continuing resolution must be passed to keep the government funded. In addition, energy and gas prices will continue to garner significant attention from Congress during the remaining days of the 110th Congress. It is expected that Congress will have a difficult time finalizing an energy plan before adjournment. In addition, Congress is expected to consider proposals addressing tax-cut extensions and a second stimulus package.

While Congress has set a target adjournment date of September 26, there still is a possibility that it might return for a lame duck session following the general election on November 4, 2008. The remaining schedule of the 110th Congress will be greatly influenced by its ability to pass many of the above discussed measures prior to its target adjournment date.

2. Highlights from the 110th Congress.

During the second session of the 110th Congress, sports related matters continued to receive significant attention. The release of a Major League Baseball (MLB)-commissioned report on the use of steroids and other performance enhancing substances by MLB players triggered three congressional hearings during the first two months of the session. NCAA President Myles Brand participated in one of those hearings, which was held before the House Energy and Commerce Subcommittee on Commerce, Trade and Consumer Protection. The subcommittee convened the hearing to take a broad look at the use of steroids and other performance-enhancing drugs among professional, college and high

school athletes in all sports. In addition, Congress held hearings on the use of tax exempt financing for the construction of professional league stadiums, the NFL retirement and disability plan, and horse racing safety.

Following five years and 14 extensions, Congress finally passed the Higher Education Opportunity Act, which was signed into law by President Bush on August 14th. This measure, which reauthorizes the Higher Education Act, includes increased reporting requirements aimed at addressing the increased cost of postsecondary education and creates dozens of new grant programs for institutions and students.

3. Federal Issues.

a. Americans with Disabilities Act.

On June 17, 2008, the Department of Justice issued a notice of proposed rulemaking to amend the Department's regulations implementing Title II and Title III of the American Disabilities Act of 1990 (ADA). The proposed rule changes, if adopted, would have an impact on a number of matters related to the collegiate athletic and higher education communities. As a result, the American Council on Education (ACE), the NCAA and the National Association of College and University Business Officers (NACUBO) took the lead and worked collectively with a number of higher education associations to submit joint comments on the proposed changes to the ADA. Among those groups involved in this effort were the American Association of Community Colleges, the APPA (formerly known as the Association of Physical Plant Administrators of Universities and Colleges), the Association of College and University Housing Officers-International, the National Association of Independent Colleges and Universities, and the National Association of State Universities and Land-Grant Colleges.

The proposed regulations addressed a number of issues that might require the modification of current policies and procedures at colleges and universities. Among the changes highlighted in the proposed regulations were those pertaining to sports stadiums, including: ticketing policies, the location and form of accessible seating, captioning, the use of mobility devices, and the accommodation of individuals who use service animals. While the higher education associations remained in support of the Department of Justice's efforts to enforce the ADA, they did express concern with

the significant burden that the higher education community might incur from additional compliance obligations.

The joint comments from the higher education community were submitted on August 18, 2008. It is not certain when the Department of Justice might issue final regulations.

b. Internet Gambling.

During the final months of the 110th Congress, Internet gambling continues to remain on the agendas of several members and key committees. Among those measures still being considered is HR 2140. As introduced by Representative Shelley Berkley (D-NV), HR 2140, the Internet Gambling Study Act, would require the National Research Council of the National Academy of Sciences to conduct a comprehensive study of Internet gambling, including the existing legal framework that governs such activities and transactions and the impact of the Unlawful Internet Gambling Enforcement Act on Internet gambling in the United States. Prior to Congress' adjournment for its August recess, HR 2140 was scheduled to be marked-up by the House Judiciary Committee. However, due to a controversial measure before the committee, the legislation was never considered. With a limited number of legislative days remaining on the calendar, HR 2140 faces a very uncertain future.

Also, Representative Jim McDermott (D-WA) introduced HR 6501, the Investing in our Human Resources Act of 2008, on July 15, 2008. Under this measure, the Social Security Act would be amended to allow taxes from regulated Internet gambling to provide monetary resources for the foster care system. To date, HR 6501 has not received any additional legislative attention. Representative McDermott is also the sponsor of HR 5523, the Internet Gambling Regulation and Tax Enforcement Act of 2008, which also attempts to regulate and tax Internet gambling.

On April 10, 2008, Representative Barney Frank (D-MA), Chairman of the House Financial Services Committee, introduced HR 5767, which would enjoin the Secretary of Treasury and the Federal Reserve Board from proposing, prescribing, or implementing any regulation that would regulate financial transactions involving unlawful Internet gambling. In a surprising development HR 5767 was defeated by the House Committee, which is chaired by Representative Frank. Despite this setback Representative Frank introduced a similar measure (H.R. 6870) on September

11, 2008. While H.R. 5767 and HR 6870 would both delay indefinitely regulations that implement the Unlawful Internet Gambling Enforcement Act, HR 6870 goes a step further by seeking a definition of unlawful Internet gambling and explicitly prohibiting sports betting on the Internet by exempting such wagers from the regulation process. On September 16, 2008, the House Financial Services Committee passed HR 6870 by a vote of 30-19. While it remains unclear whether HR 6870 will be scheduled for a vote on the House floor before Congress adjourns, it seems certain that the passage of this measure will encourage additional efforts during the 111th Congress to roll back the Internet gambling ban.

c. Athletics Equity for Students with Disabilities.

On July 22, 2008, the Women's Sports Foundation held a briefing on athletics equity for students with disabilities. The briefing, which was hosted by House Committee on Education and Labor Chairman George Miller (D-CA), consisted of a five person panel, which discussed the lack of opportunities for disabled student-athletes through community, high school and collegiate athletic programs and the importance of providing those opportunities. Panelists included Aimee Mullins, Paralympian and Women's Sports Foundation President; Dr. Garth Tymeson, Department of Exercise and Sport Science, University of Wisconsin at La Crosse; Steve Bobadilla, High School Student, Wheelchair Tennis Player; Ann Cody, Paralympian, BlazeSports America Public Policy Director; and Charlie Huebner, Chief of US Paralympics division of the USOC.

To provide more opportunities, the Women's Sports Foundation and other interested groups are planning to push for a federal law that is similar to Title IX, which would provide equitable opportunities for disabled student-athletes. In discussing the specifics of such legislation, a recently enacted Maryland law, the Fitness and Athletics Equity for Students with Disabilities Act, was often held up as a model in achieving this goal. While introduction of such legislation is unlikely before the end of the year, it is possible that an effort will be made to seek a Government Accountability Office (GAO) study to further examine this issue. Also, the introduction of a congressional resolution commending the passage of the Maryland law is possible.

d. Lobbying Disclosure and Contribution Reporting.

On September 14, 2007, the Honest Leadership and Open Government Act of 2007 (HLOGA) was signed into law by President George W. Bush. The passage of HLOGA signaled significant lobbying, gift, and ethics changes to federal law and Congressional rules. Also, in early 2007, the House of Representatives amended its gift and earmarking rules, which also impacted entities that employ federally registered lobbyists. Among the many changes caused by HLOGA and House Amendments was a ban on gifts from lobbyists and lobbyists' employers to Members of Congress and their staff. In addition, HLOGA established a new semi-annual report which requires disclosure of certain contributions and expenditures made by lobbyists' employers, lobbying firms, and lobbyists. The semi-annual report also requires lobbyists and lobbyists' employers to certify that they have knowledge of, and compliance with, Congressional gift and travel rules. These new requirements are coupled with strong civil and criminal penalties for those knowingly in violation of the law.

Prior to the filing of the first semi-annual report on July 30, 2008, the NCAA Government Relations staff worked extensively with NCAA CFO, Jim Isch and NCAA Human Resources Managing Director, Bob Fiala to ensure that the organization remained in compliance with the law. A memo, which outlined the gift ban and accompanying exemptions was sent out to all-staff and added to the employee handbook. In addition, a gift rules certification form was provided to all members of the NCAA President's Council, which required a signature showing compliance with the new law. We were pleased that the forms were returned showing compliance within all NCAA groups.

The NCAA Government Relations staff will continue to monitor this area and will provide information on any changes to the current law.

4. <u>State Issues</u>:

a. Sports Wagering.

The Delaware legislature adjourned on June 30, 2008, without taking additional action on a proposal that would allow betting on professional and collegiate sports teams, with the exception of Delaware schools. However, with continued concern regarding the State's budget, it is expected that Delaware lawmakers will again look

at sports betting as a solution to this issue when they return for legislative business in 2009. What is not certain is the policy position that Delaware's new governor will take on this issue. Current Governor Ruth Ann Minner, who has long been opposed to the reintroduction of sports betting, is in the final months of her last term in office.

NCAA Government Relations staff will continue to monitor the changing political landscape in Delaware and will work to educate legislators on the dangers involved with wagering on athletic competitions.

b. Higher Education Associations.

NCAA government relations staff continues to build strong relationships with various higher education associations. The American Council on Education (ACE), the Association of American Universities (AAU), the National Association of State Universities and Land Grant Colleges (NASULGC), and the National Association of College and University Business Officers (NACUBO), 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.

Division I Meetings
2009 Annual Convention Meeting Schedule

	Wednesday January 14		Thursday, January 15			Friday, January 16		Saturday, January 17
7:30		Conference Meetings 7:30 a.m.–7 p.m.						
8			Legislative Council (LGC) (8 – 11:30 a.m.)			Joint SAAC/LDC/LGC Breakfast *(8 – 9:30 a.m.)*		Joint SAAC/BOD Breakfast *(8 – 9:30 a..m)*
8:30					Conference Meetings (8:30 a.m.–3:30 p.m.)			
9							Conference Meetings (8:30 a.m.–3:30 p.m.)	
9:30				Assn-wide Programming *(9:30 – 11a.m.)*		DI Issues Forum (9:30 – 11:30 a.m.)		Board of Directors Meeting *(9:30 a.m. – 5 p.m.)*
10			LDC/CCA (10 – 11:30 a.m.)					
10:30								
11				Assn-wide Programming *(11:15 – 12:15)*				
11:30			LGC/LDC/CCA Luncheon (11:30 a.m. – 1 p.m.)			BOD/LDC/LGC Luncheon (11:30 a.m. – 1 p.m.)		
Noon								Luncheon /BOD *(12 - 1 p.m.)*
12:30								
1	Legislative Council (LGC) (1-7 p.m.)		Leadership Council (LDC) (1 – 3:30 p.m.)			DI Legislative Forum (1 – 3:30 p.m.) Override vote (3 p.m.)		Board of Directors Meeting continues
1:30				Assn-wide Programming *(1:30 – 3 p.m.)*				
2								
2:30								
3								
3:30								
4			Opening Business Session (4 – 5:30 p.m.)			Communication and Coordination Committee Meeting/Reception (4 – 6 p.m.)		
4:30								
5								
5:30								Executive Committee Meeting *(5:30 – 8 p.m.)*
6			Delegates Reception and Honors Celebration (6 – 10 p.m.)					
6:30								
7								
7:30								
8								President's Reception (7:30 – 9 p.m.)
8:30								
9								
10								

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

10/15/08:vlm

SUPPLEMENT NO. 21
DI Leadership Council 11/08

DRAFT

ADDENDUM
SUPPLEMENT NO. 21
DI Leadership Council 11/08

DIVISION I ISSUES AND LEGISLATIVE FORUM
JANUARY 16, 2009

This year's Division I Issues and Legislative Forum will have a new look from previous years. The forum will be organized based on the new governance structure and will highlight the important issues and legislative proposals examined by the leadership bodies in Division I.

SESSION I (9:30 – 11:30 A.M.)

DIVISION I BOARD OF DIRECTORS.

1. Update from the Division I Board of Directors – A visit with Board of Directors chair James Barker, president Clemson University, as he discusses important issues on the Board of Directors agenda.

   a. A status report from the Committee on Academic Performance – Where we are, what the research says and what are the challenges ahead? – Update from committee chair Walter Harrison, president University of Hartford.

   b. Review of the recommendations of the Men's Basketball Academic Enhancement Working Group – Report from working group chair Dan Guerraro, director of athletics at UCLA.

   c. News from the Football Academic Enhancement Working Group – Presentation by chair Joe Castiglione, director of athletics at the University of Oklahoma.

LEADERSHIP COUNCIL AND LEGISLATIVE COUNCIL.

2. Report from the Leadership Council – A conversation with Leadership Council chair Damon Evans, director of athletics at the University of Georgia, as he discusses issues on the Council's agenda.

3. Legislative Council Debrief – Legislative Council chair Joe D'Antonio, associate commissioner Big East Conference, will provide an overview of the Council's legislative actions during its January 14-15 meeting, in advance of the Board of Directors January 17 meeting.

SESSION TWO (1:00 – 3:00 P.M.)

CABINETS.

4. A panel discussion with the chairs of the six Division I cabinets as they review the important issues on the Division I agenda. Panel members include: Carolyn Callahan, University of Virginia – Academic Cabinet, Grace Calhoun, Indiana University – Awards, Benefits and Financial Aid Cabinet, Rob Halvaks, Big West Conference – Administration Cabinet, Petrina Long, UCLA – Recruiting and Athletics Personnel Cabinet, Mike Rogers, Baylor University – Amateurism Cabinet, and Jeff Schemmel, San Diego State University – Championships and Sports Management Cabinet.

   a. A discussion of Division I championships travel initiatives and other travel-related issues in light of today's economy.

   b. Amateurism issues and the NCAA Eligibility Center.

   c. Update from the Division I Working Group to Review "At-Risk" Student-Athlete Issues.

DIVISION I STUDENT-ATHLETE ADVISORY COMMITTEE.

5. Update from the Division I Student-Athlete Advisory Committee. SAAC leaders Kerry Kenny and Matt Baysinger along with other student-athlete representatives serving in the governance structure will review key issues on their agenda.

SESSION THREE (3:00 – 3:30 P.M.)

DIVISION I BUSINESS SESSION.

6. Membership consideration of the override request on Proposal No. 2007-30 – C.

MINUTES OF THE

NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

DIVISION I LEADERSHIP COUNCIL MEETING

NCAA National Office November, 5, 2008
Indianapolis, Indiana

Participants:

Michael Alden, University of Missouri, Columbia, Big Twelve Conference
Jeffrey Altier, Stetson University, Atlantic Sun Conference
McKinley Boston, Jr., New Mexico State University, Western Athletic Conference
Peg Bradley-Doppes, University of Denver, Sun Belt Conference
Tom Burnett, Southland Conference
Janet Cone, University of North Carolina, Asheville, Big South Conference
James E. Delany, Big Ten Conference
Tom Douple, Summit League
Damon Evans, University of Georgia, Southeastern Conference
Peter Fields, Montana State University-Bozeman, Big Sky Conference
Alan Hauser, Appalachian State University, Southern Conference
R.C. Johnson, University of Memphis, Conference USA
Cynthia K. Jones, Southern Illinois University at Carbondale, Missouri Valley Conference
Kerry Kenny, Division I Student-Athlete Advisory Committee
Lynn King, University of the Pacific, Big West Conference
Paul Kowalczyk, Colorado State University, Mountain West Conference
Jonathan (Jon) LeCrone, Horizon League
Susan Cross Lipnickey, Miami University, Mid-American Conference
Lisa Love, Arizona State University, Pacific – 10 Conference
John Marinatto, Big East Conference
Charles McClelland, Texas Southern University, Southwestern Athletic Conference
Mary McElroy, Georgia State University, Colonial Athletic Association
Patrick Nero, America East Conference
Jeff Orleans, Ivy League
Ed Pasque, Atlantic 10 Conference (alternate)
Richard Regan, College of the Holy Cross (alternate), Patriot League
John Ritschdorff, Marist College, Metro Atlantic Athletic Conference
Sonja Stills, Mid-Eastern Athletic Conference (alternate)
John Watson, Pepperdine University, West Coast Conference
Brenda Weare, Northeast Conference (via conference call)
Charles Wellford, University of Maryland, College Park, Atlantic Coast Conference
Mark Wilson, Tennessee Technological University,
S. David Berst, NCAA
Myles Brand, NCAA
Beth DeBauche, NCAA, recording secretary
Bernard Franklin, NCAA
Kevin Lennon, NCAA

[NOTE: Chet Gladchuk, U.S. Naval Academy, Patriot League; Jim Miller, University of Richmond, Atlantic 10 Conference; Dennis Thomas, Mid-Eastern Athletic Conference, Bobby Williams, Sam Houston State University, Southland Conference, were unable to participate.]

Also in attendance as invited guests were: Rich Ensor, Metro Atlantic Athletic Conference (chair of the former Management Council Governance Subcommittee), Rob Halvaks, Big West Conference (chair of the Administration Cabinet) and Greg Sankey, Southeastern Conference (chair of the former Membership Subcommittee),

NCAA staff members, Brady Barke, Erik Christianson, Joni Comstock, Michelle Hosick, Steve Mallonee, Delise O'Meally, Wallace Renfro, Dave Schnase, Wendy Walters and Charlotte Westerhaus were also present during portions of the meeting.

[NOTE: Please refer to the report of the November 5, 2008, Division I Leadership Council s meeting for the actions taken (formal votes or "sense of the meeting"), in accordance with the NCAA policy governing the minutes of all Association entities. While certain items on the Leadership Council's agenda were acted upon at various times throughout the meeting, all final actions within a given topic are combined in the report for convenience of reference. The information contained in this document includes only those items that are not contained in the report of the Leadership Council (Attachment No.).]

The meeting was called to order at 8:05 a.m. on November 5, 2008 by the chair, Damon Evans. All were present as noted above.

1. **Welcome and introductions.** In his opening comments the chair, Damon Evans, welcomed invited guests Rich Ensor, (chair of the former Management Council Governance Subcommittee), Rob Halvaks, (chair of the Administration Cabinet) and Greg Sankey (chair of the former Membership Subcommittee). He also acknowledged the alternates in attendance at the meeting, Tom Burnett, Ed Pasque, Dick Regan and Sonja Stills.

2. **Discussion with NCAA President Myles Brand**. NCAA President Myles Brand entered into a conversation with the Council regarding important issues impacting intercollegiate athletics.

3. **Status report on the work of the Task Force on Commercial Activity in Intercollegiate Athletics.** Myles Brand provided the Council with an overview of the task forces' goals and objectives and David Berst then talk with the Council about its role with this effort.

4. **Update regarding the Amateurism Cabinet's discussion of assigned amateurism issues.** Kevin Lennon provided the Council a status report from the Amateurism Cabinet's work on this issue to-date.

5. **Examination and preliminary discussion regarding Division I membership standards.** David Berst led the group through this preliminary discussion of Division I membership standards.

6. **Discussion regarding ways to enhance the level of diversity in the Division I governance structure.** Charlotte Westerhaus provided a presentation to the Council regarding service numbers in the Division I governance structure.

7. **Reports from the Communications and Coordination Committee.** Damon Evans provided this overview of the Communications and Coordination Committee's work to date.

8. **Division I Cabinet reports.** Damon Evans reviewed the agenda priorities identified by the six Division I cabinets.

9. **Report of the October 20-21 Legislative Council.** Beth DeBauche provided this overview of the Legislative Council's first meeting.

10. **Review of legislative items in the 2008-09 cycle of potential interest to the Leadership Council.** Beth DeBauche led the group through this review of legislative proposals of potential interest to the Leadership Council and Board of Directors.

11. **Update regarding the work of the Men's Basketball Academic Enhancement Group**. David Berst provided a procedural update regarding the ongoing work of the Men's Basketball Academic Enhancement Group.

12. **Report from the Student-Athlete Advisory Committee.** Kerry Kenny, as chair of the Division I Student-Athlete Advisory Committee, provided an overview of the committee's November meeting agenda.

13. **Report from the August 7 and October 30 NCAA Executive Committee meetings.** Bernard Franklin and Delise O'Meally provided this overview of new initiatives coming from the NCAA Executive Committee.

14. **Update regarding NCAA championships travel initiatives**. Joni Comstock gave this presentation regarding trends in the travel industry and possible new initiatives designed to address these trends.

15. **2009 NCAA Convention update**. Beth DeBauche provided the Council with an overview of its 2009 NCAA Convention schedule.

16. **Adjournment.** Damon Evans adjourned the meeting at 2:10 p.m.

# # # # #