A G E N D A

National Collegiate Athletic Association
Division I Leadership Council

Gaylord National Resort & Convention Center
National Harbor, Maryland

January 15, 2009
10 a.m. to 3:30 p.m.

Session I

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

1. Welcome and introductions.

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

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

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

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

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

Session II

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

1. Welcome and introductions.

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

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

Session III

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

1. Visit with NCAA President Myles Brand.

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

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

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

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

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

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

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

4. Governance Update.

a. Division I matters.

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

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

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

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

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

b. Status reports on other Division I initiatives.

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

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

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

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

c. Association-wide matters

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

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

5. News from the NCAA.

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

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

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

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

8. Adjournment.

Basketball Academic Enhancement Group Study

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

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

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

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

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

1. Academic Progress Rate Policies.

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

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

2. Mandatory Summer School.

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

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

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

3. Playing and Practice Seasons.

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

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

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

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

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

4. Academic Preparedness.

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

to assist the group in examining potential standards as well as the composition of any impacted group.

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

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

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

1. Academic Progress Rate Policies.

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

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

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

2. Mandatory Summer School.

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

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

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

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

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

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

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

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

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

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

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

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

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

5. Timeline for Completion of Work.

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

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

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

REPORT OF THE NCAA DIVISION I
WOMEN'S BASKETBALL ISSUES COMMITTEE

The NCAA Division I Women' Basketball Issues Committee submits the following report from its December 15, 2008, conference call:

***ACTION ITEMS*.**

1. **Legislative Items.**

   - None.

2. **Nonlegislative Items.**

   - None.

***INFORMATIONAL ITEMS*.**

1. **Continued Discussion Regarding the Development of an Academic and Athletic Access Summer Model**. During its September 24 – 25, 2008, the Women's Basketball Issues Committee continued its discussion regarding the development of an academic preparation, enhancement and summer access model involving both summer school attendance and access for women's basketball student-athletes who initially enroll at the certifying institution. The purpose of the December 15, 2008, conference call was to allow the committee to review the terms of the previously developed concept and to continue its work on development of a model.

2. **Update from the Men's Basketball Academic Enhancement Group.** The Women's Basketball Issues Committee received an update on the ongoing efforts of the Men's Basketball Academic Enhancement Group, and learned of recent changes to that group's preliminary recommendations as a result of the group's December 3, 2008 in-person meeting. During the course of this review, the committee members discussed the fact the men's efforts are focused on seeking to improved the academic performance of men's basketball student-athletes, while the objectives of the examination in the sport of women's basketball is multifaceted. The development of a academic-access model in women's basketball is intended to contribute to the long-term well-being and development of student-athletes, increase the potential of improved academic performance and academic culture, enhance the coach and student-athlete relationship, assist with the acclimation of incoming student-athletes into the collegiate environment and acknowledge the role basketball plays in allowing student-athlete's to achieve a sense of balance. Additionally, the Women's Basketball Issues Committee discussions appear to be much more focused on developing an incentive-based model than does the Men's Basketball Academic Enhancement Group given its charge.

3. **Discussion of concepts**. The Women's Basketball Issues Committee entered into a far – reaching discussion regarding possible academics and athletics access models that could be classified into three general categories. Given that the discussion occurred over a conference call, it should be noted the concepts are still general in nature and there may be elements under all three concepts that could be used in the development of additional models.

   a. Preliminary Concept identify in September –Model 1. The committee discussed the fact that the economic landscape along with the focus of the Men's Basketball Academic Enhancement Group relative to mandatory summer school have changed since the September meeting. While individual members shared their views regarding requiring all incoming freshman and transfers-athletes to attend summer school the committee felt at this time the elements of the concept identified during their September meeting were sound and warranted further discussion and consideration. The preliminary concept as previous developed is summarized below as follows:

      (1) Incoming Freshman and Transfer Division I Women's Basketball Student-Athletes.

         (a) <u>Summer School Attendance Requirement</u>. All incoming freshman and transfer Division I women's basketball student-athletes, who have signed financial aid agreements to receive athletically related financial aid for the ensuing regular academic year, shall be required to attend the institution's summer term prior to initial full-time enrollment. Such student-athletes shall satisfactorily complete a minimum of three hours of acceptable academic degree credit as a prerequisite for eligibility in the fall term, in addition to participating in study skills/life skills education.

         (b) <u>Study Skills/Life Skills Requirement</u>. Institutions must provide such student-athletes study skills/life skills education during the summer session.

         (c) <u>Athletics Activities</u>. Such student-athletes would be permitted to engage in a total of 10 hours of athletics skill-related instruction during the time the student-athletes are enrolled in the summer term. As a reminder, such student-athletes may engage in voluntary summer workouts conducted by the institution's strength and conditioning coach with department-wide duties and may receive workout apparel (on an issuance and retrieval basis).

         (d) <u>Exceptions and Waivers</u>. The concept would provide for an exception for institutions that do not offer summer courses. The concept also allows for exceptions for programs that do not offer athletically related financial aid.

(e) A wavier from the application of the mandatory attendance requirements for incoming student-athletes would be available when unique circumstances preclude an incoming student-athlete from attending summer school.

(2) Continuing Division I Women's Basketball Student-Athletes.

- Summer School Attendance and Athletics Activities. The current legislation relating to summer school attendance for continuing student-athletes would remain the same; however, there would be a provision for athletics activities for those student-athletes enrolled in summer school. Such student-athletes would be permitted to engage in a total of 10 hours of athletics skill-related instruction during the time the student-athlete is enrolled. Such student-athletes may engage in voluntary summer workouts conducted by the institution's strength and conditioning coach with department-wide duties and may receive workout apparel (on an issuance and retrieval basis).

[Note: The concepts referenced in Models Two and Three below are not as fully developed as is Model One due to the time constraints of the December 15, 2008, conference call. It is anticipated that the Women's Basketball Issues Committee will continue to seek to further develop these and other models in the months ahead.]

b. Incentive-Based Model. Model Two. Pursuant to this model, summer access would be tied to successful academic performance during the academic year rather than enrollment in summer school. The foundation for this model is the committee's intention to establish an incentive for academically successful programs. This model would focus on the development of even more well-rounded women's basketball student-athletes as academically successful student-athlete would not only have the option of attending summer school, but would have the option of establishing an access schedule that would allow them to explore other opportunities during the summer such as obtaining employment or an internships, enrolling in a study abroad program or return home for a longer period of time.

Issues that still need to be address under this model include: A determination of how academic success should be defined that would ultimately allow for summer access? Whether the standard should be different for incoming student-athletes than it is for returning student-athletes? Whether this academic success determination should be based on the academic performance of the team or the individual student-athlete or combination thereof? Whether the access should be limited to 10 hours during the summer as noted in Model One or whether it should be limited in some other way and what type of interaction or contact should be allowed under the term access.

c. Current Institutional Discretion Approach to Summer School with Limited Access. Model Three. Under this model, institutions would be allowed the discretion to determine whether or not to provide a women's basketball student-athlete with

funding for summer school, as is the current practice. Limited access would be provided during the summer session to allow an opportunity for coaches and student-athletes to develop stronger relationships, to assist entering student-athletes in better acclimating to college life and intercollegiate athletics, to provide for time to work on skill development and fundamentals. This model is developed on the premise that access between the coach and student-athletes during the summer has potential to enhance the student-athletes academic, emotional and athletic foundation for success. While the amount of access has still to be determined, this model is also based on the premise that the amount of access must be sufficiently limited so the opportunity for access does not serve as the primary incentive to result in student-athletes going to summer school.

Issues that need to be address under this model include: What is the proper limit on access during the summer? Should such limits be based on hours or should other elements be included? Should this model apply to both incoming and returning student-athletes Does this model help achieve the Women's Basketball Issues Committee's objectives of improve the level of academic performance in Women's Basketball, help establish a healthy and balanced culture for women's basketball student-athletes and enhance the foundation of the game?

4. **Future Meetings/Teleconferences**. The committee's next in-person meeting will occur in spring 2009. The staff will seek to arrange teleconferences during the winter 2009 to continue development of models intended to achieve the committee's stated objectives.

Committee Chair: Nora Lynn Finch, Atlantic Coast Conference
Staff Liaisons: Jackie Campbell, Women's Basketball
Beth DeBauche, Governance
Sue Donohoe, Women's Basketball,
Lynn Holzman, Membership Services
Michelle Perry, Women's Basketball

REPORT OF THE
NCAA DIVISION I CHAMPIONSHIPS/SPORTS MANAGEMENT CABINET

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

***INFORMATIONAL ITEM*.**

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

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

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

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

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

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

FUNDAMENTAL DIVISION I MEMBERSHIP PRINCIPLES

1. Central to the mission of intercollegiate athletics in Division I is the academic success of student-athletes in all sports.

2. The current Division I governance voting ratios/percentages by subdivision should be maintained.

3. Modification to membership standards should promote stability, provide access for reserving institutions, require a meaningful program-wide commitment and treat institutions fairly in determining their status as members of Division I

4. Division I members should commited to providing extensive participation opportunities for both men and women.

5. Division I athletics programs should strive for regional and national excellence and prominence, and recognize the dual objective of serving both the university or college community and the general public.

6. Division I institutions should compete against members of the division on a regular basis.

7. Division I members should allocate meaningful resources across the entire athletics program, including financial aid, sports sponsored and academic support services.

8. The existing subdivision structure within Division I is a valid system for classifying football programs.

9. Division I competition should be sponsored at the highest feasible level, with special emphasis on the spectator-oriented, revenue-producing sports of basketball and football, recognizing that institutional objectives in support of football are reflected by subdivision designation.

10. The number and nature of multisport conferences in Division I are fundamental to the level, structure and scope of Division I championship competition and to the governance of Division I.

Excerpt from the
Report of the November 5, 2008, Leadership Council Meeting.

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

LDC ACTIONS:

(1) Began its examination of membership standards in Division I and as a result of a lively and far reaching discussion began establishing the framework for the Council's future examination of this complex issue.

(2) Heard comments and ideas from individual Leadership Council members regarding Division I membership standards, which included the following:

- The current Division I member standards, which focus on sports sponsorship, scheduling requirements and grant-in-aid awards do not appear to be meaningful in measuring a commitment to Division I and as a result the Leadership Council should strive to take a fresh and creative approach that does not use the current lowest common denominator between members as its foundation.

- The Division I "brand" and the cache of membership within the division is a driving force for many institutions wanting to make the transition to Division I. The label Division I is often attractive to boosters and trustees, yet they often times are not in a position to fully appreciate the level of commitment it takes to become a viable member of the division. Maybe thought should be given to diminishing the labeling aspect of the division.

- Unfettered membership growth is problematic for it taxes the division's ability to provide a full level of services to the membership and a consistent championships experience. As this examination is conducted, the Council must be mindful that the championships experience is an important aspect of Division I membership and certain championships have a unique status within that structure.

- Division I has a wide range of members, which is part of its appeal to other non-member institutions. The consistent variable that ties Division I institutions together is the Division I governance structure, which provides both governance access and a regulatory system. Accordingly, the governance structure should serve as the foundation for membership standards.

- The Division I governance structure is purposefully built on the foundation of the multisport conferences, therefore, thought should be given to requiring conference affiliation as a requirement for membership.

- Any standards that are developed need to accommodate the fact there will continue to be institutions that the division should look to embrace for its long-term health. Additionally, there will be population and demographic shifts that must be accommodated.

- In keeping with the NCAA's strategic plan, data should help guide the Leadership Council's work. It would be helpful to see a list of the reasons institutions reference for deciding to transition into Division I. Additionally, it would be helpful to see information regarding the profile of current Division I institutions regarding such issues as the number of grant-in-aid awards and sports sponsorship numbers to determine whether there is a natural dividing point between member institutions.

- Conference and NCAA membership provide value to institutions. Information regarding the specifics of the services and value provided to member institutions would be helpful.

- It takes time, as much as 10 years, to fully transition into a mature Division I institution. The current five year process does not appear to be sufficient for institutions to truly appreciate the necessary level of commitment and to become a competitive member of the division.

- Any examination of membership standards must include the perspective of Division I student-athletes and an analysis of the impact on the student-athlete experience.

DI Membership Proposals

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.

Status: Legislative Council Initial Consideration

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.

Administrative: Amend 31.3.4.4, as follows:

31.3.4.4 Additional Requirements Sports Other Than Men's Basketball.

31.3.4.4.1 Multi-Sport Conference. To be considered eligible for automatic qualification in a particular sport, a multi-sport member conference must include six core institutions that satisfy continuity-of-membership. For the purposes of this legislation, core refers to an institution that has been an active member of Division I the eight preceding years **or has sponsored the sport at the Division I level the eight preceding years.** Further, the continuity-of-membership requirement shall be met only if a minimum of six core institutions have conducted conference competition together in Division I the preceding two years in the applicable sport. There shall be no exceptions to the two-year waiting period. Any new member added to a member conference that satisfies the continuity of membership requirements shall be immediately eligible to represent the conference as the automatic qualifier.

[Remainder of 31.3.4.4 unchanged.]

Source: Mid-American Conference.

Effective Date: Immediate (for the 2009-10 academic year championships).

Proposal Category: Amendment

Topical Area: Executive Regulations

Rationale: Currently, there are many sports sponsored at the Division I level by non-Division I institutions, which have shown a commitment to the sports, but are not eligible for an automatic qualification. In addition, there are sports programs that are unable to secure membership in a conference principally due to geographic location. There are at least ten to twelve sport programs that participate without access to an automatic qualification (at-large with limited RPI scheduling

possibilities). This situation has contributed to institutions dropping sports because they cannot find a conference to assist with the difficulties of scheduling and because of the lack of access to an automatic qualification due to the small number of at-large bids. This proposal would help encourage conferences to consider adding such institutions as members for a particular sport.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s):

Administration Cabinet 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 membership moratorium.

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

History

Jul 15, 2008: Submit; Submitted for consideration.

Sep 11, 2008: Administration Cabinet, No Formal Position

Sep 17, 2008: Championships/Sports Management Cabinet, No Formal Position

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.

Status: Legislative Council Initial Consideration

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.

Administrative: Amend 31.3.4.4, as follows:

31.3.4.4 Additional Requirements, Sports Other Than Men's Basketball.

31.3.4.4.1 Multi-Sport Conference. To be considered eligible for automatic qualification in a particular sport, a multi-sport member conference must include six core institutions that satisfy continuity-of-membership. For the purposes of this legislation, core refers to an institution that has been an active member of Division I the eight preceding years. Further, the continuity-of-membership requirement shall be met only if a minimum of six core institutions have conducted conference competition together in Division I the preceding two years in the applicable sport. There shall be no exceptions to the two-year waiting period. Any new member added to a member conference that satisfies the continuity-of-membership requirements shall be immediately eligible to represent the conference as the automatic qualifier.

31.3.4.4.1.1 Exception **-- Newly Added Conference Sport.** A multi-sport conference that adds a conference-sponsored sport may be considered for automatic qualification in that sport, provided the conference includes at least six active NCAA Division I institutions that have conducted conference competition together at the Division I level in the sport the preceding two years and the sport is sponsored by less than 50 percent of the Division I membership.

31.3.4.4.1.2 Exception -- Member that has Sponsored the Sport at the Division I Level the Eight Preceding Years. A multi-sport 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 the eight preceding 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.

[Remainder of 31.3.4.4 unchanged.]

Source: Mid-American Conference.

Effective Date: Immediate (for the 2009-10 academic year championships).

Proposal Category: Amendment

Topical Area: Executive Regulations

Rationale: Currently, there are many sports sponsored at the Division I level by non-Division I institutions, which have shown a commitment to the sports, but are not eligible for an automatic qualification. In addition, there are sports programs that are unable to become members of conferences principally due to geographic location. This situation has led to institutions dropping some sports because they cannot find a conference to assist with the difficulties of scheduling and because of the lack of access to an automatic qualification due to the small number of at-large bids. This proposal would help encourage conferences to consider adding such institutions as members for a particular sport.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s):

Administration Cabinet 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 membership moratorium.

Championships/Sports Management Cabinet The cabinet supports the proposal.

History

Jul 15, 2008: Submit; Submitted for consideration.

Sep 11, 2008: Administration Cabinet, No Formal Position

Sep 17, 2008: Championships/Sports Management Cabinet, Recommends Approval

_____

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.

Status: Legislative Council Initial Consideration

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.

Administrative: Amend 31.3.4.4, as follows:

31.3.4.4 Additional Requirements, Sports Other Than Men's Basketball.

31.3.4.4.1 Multi-Sport Conference. To be considered eligible for automatic qualification in a particular sport, a multi-sport member conference must include six core institutions that satisfy continuity-of-membership. For the purposes of this legislation, core refers to an institution that has been an active member of Division I the eight preceding years. Further, the continuity-of-membership requirement shall be met only if a minimum of six core institutions have conducted conference competition together in Division I the preceding two years in the applicable sport.

There shall be no exceptions to the two-year waiting period. Any new member added to a member conference that satisfies the continuity-of-membership requirements shall be immediately eligible to represent the conference as the automatic qualifier.

31.3.4.4.1.1 Exception. A multi-sport conference that adds a conference-sponsored sport may be considered for automatic qualification in that sport, provided the conference includes at least six active NCAA Division I institutions that have conducted conference competition together at the Division I level in the sport the preceding two years and the sport is sponsored by less than *50* **65** percent of the Division I membership.

[Remainder of 31.3.4.4 unchanged.]

Source: Mid-American Conference.

Effective Date: Immediate (for the 2009-10 academic year championships).

Proposal Category: Amendment

Topical Area: Executive Regulations

Rationale: Five men's sports for which NCAA championships are conducted are sponsored by at least 80 percent of the Division I membership. There is a distinct drop off to 60 percent for men's soccer. A great disparity exists between sponsorship of men's soccer and the sponsorship of sports such as baseball and men's basketball, which are sports that have particularly high percentages of sponsorship at member institutions. This proposal recognizes and accounts for the sponsorship percentages in order to facilitate the addition of sports that are currently sponsored by less than 65 percent of the membership as conference-sponsored sports.

Estimated Budget Impact: None.

Impact on Student-Athlete's Time: None.

Position Statement(s):

Administration Cabinet 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 membership moratorium.

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

History

Jul 15, 2008: Submit; Submitted for consideration.

Sep 11, 2008: Administration Cabinet, No Formal Position

Sep 17, 2008: Championships/Sports Management Cabinet, No Formal Position

EXPANDED USES OF ACADEMIC ENHANCEMENT AND SPECIAL ASSISTANCE FUNDS

EXPANDED REPORTING OF STUDENT-ATHLETE OPPORTUNITY FUNDS BEGINNING AUGUST 7, 2008

Settlement of the Jason White, et al. v NCAA lawsuit has been certified by the presiding federal judge, and therefore, the uses for the Academic Enhancement and Special Assistance Funds are being expanded. Current uses of the funds continue to be permissible, however, any additional uses permitted under the current Student-Athlete Opportunity Fund also will be allowed, effective immediately.

Essentially, the permissive uses of all three funds have been expanded to include the less-restrictive Student-Athlete Opportunity Fund uses guidelines. You will be able to use the funds to support any direct benefits to student-athletes. The allocation formulas for the Special Assistance Fund and Student-Athlete Opportunity Fund will not change, but the distribution and the report of uses will be considered as one fund. Institutions and conferences are encouraged to continue to use the funds for student-athletes who show a financial need as a priority. The NCAA will continue to collect information on fund uses and the number of Pell grant recipients for the combined fund.

The report of uses for these funds will be revised in order to gather the additional uses information and to add the Pell grant information to the Student-Athlete Opportunity Fund. Institutions and conferences had not previously been required to include Pell grant recipient information for the Student-Athlete Opportunity Fund.

In addition to funding direct benefits to student-athletes, the Academic Enhancement fund will continue to allow spending on academic support salaries and benefits and capital improvements that enhance the academic services. The Academic Enhancement checks will continue to be mailed to each institution. The institution also is encouraged to consider using this fund for the provision of other direct benefits to student-athletes that enhance student-athlete welfare. The additional benefits may be provided in accordance with the Student-Athlete Opportunity Fund guidelines.

The new consolidated reporting for the 2008-09 academic year that more closely aligns the Academic Enhancement, Special Assistance, and Student-Athlete Opportunity Funds will include the categories listed below. Other uses of the funds should be approved by your conference office. Please note that uses reporting for the Special Assistance and Student-Athlete Opportunity Funds will be done by gender, sport, grants-in-aid and partial grants-in-aid much like it has been done in previous years for the Student-Athlete Opportunity Fund.

EDUCATIONAL EXPENSES AND FEES
• Summer School • Fifth or Sixth Year Aid • International Student Fees and Taxes • Professional Program Testing • Expendable Supplies • Educational Supplies (e.g. laptop computers, cameras, etc.) • Tutoring Services for Student-Athletes • Office Supplies • Other Educational Expenses or Academic Course Supplies

HEALTH AND SAFETY EXPENSES
• Insurance Premiums for Student-Athletes • Medical Expenses for Student-Athletes (not covered by another insurance program for student-athletes not eligible for Special Assistance Fund) • Dental/Vision Expenses for Student-Athletes (not covered by another insurance program for student-athletes not eligible for Special Assistance Fund) • Other Health and Safety Expenses

PERSONAL OR FAMILY EXPENSES
• Clothing Allowance • Emergency Travel for Student-Athletes, Spouses, and/or Dependents • Other Personal/Family Essential Expenses or Student-Athlete/Family Emergency Expenses

INSTITUTIONAL ACADEMIC OR PROGRAMMING ENHANCEMENTS
• Academic Achievement or Graduation Award • Academic Support Services • Academic Recognition Programs • Student-Athlete Advisory Committee (SAAC) • Other Academic or Programming Expenses

FINANCIAL AID TYPES-TOTAL STUDENT-ATHLETES
• Student-Athlete on Full Grant-in-Aid • Student-Athlete on Partial Grant-in-Aid • Student-Athlete receiving no Grant-in-Aid • Student-Athlete receiving funds with Exhausted Eligibility or Inactive Due to Medical Reason

SALARIES AND CAPITAL EXPENSES **(ALLOWED FOR ACADEMIC ENHANCEMENT FUNDS ONLY)**
• Personnel Expenses for Academic Advisors, Academic Coordinators, and Other Staff hired specifically for the academic enhancement of the student-athlete. • Capital Improvements that enhance Academic Services.

Southern Conference
702 N. Pine Street · Spartanburg, SC 29303
864-591-5100 · 864-591-4282 (Fax)
www.SoConSports.com

November 13, 2008

Dr. Myles Brand
President
NCAA
P.O. Box 6222
Indianapolis, IN 46206-6222

Dear Myles:

I write you on behalf of the Southern Conference, but you should know that I have the support of a number of other Division I conference Commissioners in writing this letter.

In a recent conference call of the Collegiate Commissioners Association Compliance Administrators (CCACA), several representatives suggested adding the upgrading of team transportation to the list of impermissible uses of the Student-Athlete Opportunity Fund. Typically, some programs will utilize SAOF funds to reserve a bus instead of letting their non-revenue squads travel in vans. This specific application – buses instead of vans -- was on the first list of suggested uses of the fund back when it was created in 2003.

I urge your office and staff to resist allowing this particular use of the fund to become impermissible.

I cannot fathom why some members of the CCACA would obsess about this and make an issue of it. Does anyone truly believe that this is a recruiting advantage? How can one argue that this creates a competitive advantage? Isn't the primary goal of the SAOF to benefit student-athlete welfare? What can be more important than addressing the safety of student-athletes as they travel?

There have been far too many newspaper articles detailing accidents with tired coaches or, in some cases, graduate students driving vans late at night. As administrators, we should be doing everything possible to protect our student-athletes when they represent our institutions. If some programs choose to use the SAOF fund in this manner, so be it. A recent CCACA conversation dealt with the legality of purchasing weight training equipment for student-athletes using SAOF funds. How can we justify this application and deny the upgrading of transportation? Such a decision would not reflect well on any of us.

Myles, I hope you will agree with me and many of my fellow Commissioners that this should remain an institutional decision, and that you will use your influence to keep the upgrading of team transportation a permissible use of the SAOF.

Thank you for your consideration of this matter.

Sincerely,

John Iamarino
Commissioner

cc: David Berst
Beth DeBauche
Steve Mallonee
Division I Commissioners
SoCon Council of Presidents
SoCon Athletic Directors

ADDENDUM B
SUPPLEMENT NO **4**
DI Leadership Council 1/09

From: Berst, David
Sent: Wednesday, November 19, 2008 2:10 PM
To: Patty Viverito; Tom Yeager; Carolyn Schlie Femovich; Wright Waters; Dan Beebe
Cc: John Iamarino; Brand, Myles; DeBauche, Beth; Mallonee, Steve; jswofford@theacc.org; mtranghese@bigeast.org; jdelany@bigten.org; bbb@c-usa.org; rchryst@mac-sports.com; cthompson@themwc.com; thansen@pac-10.org; Mike Slive; Greg Sankey; kbenson@wac.org; Doug King; Mike Matthews; Bernadette McGlade; Brenda Weare; d.sharp@swac.org; dfarrell@bigwest.org; thomasd@themeac.com; Doug Elgin; dfullerton@bigskyconference.org; Jamie Zaninovich; jeff@ivyleaguesports.com; jlecrone@horizonleague.org; jsteinbrecher@ovc.org; kylek@bigsouth.org; Kathleen Batterson; nero@americaeast.com; rich.ensor@maac.org; Ted Gumbart; tburnett@southland.org; Tom Douple; dunlapbb@wofford.edu; bfgrube@georgiasouthern.edu; david.shi@furman.edu; bensong@cofc.edu; jbardo@email.wcu.edu; peacockke@appstate.edu; lambert@elon.edu; linda_brady@uncg.edu; john.rosa@citadel.edu; roger-brown@utc.edu; Thomas Ross; Westmoreland, Andrew; cobbcg@appstate.edu; csmith@email.wcu.edu; dblank@elon.edu; gary.clark@furman.edu; jamurphy@davidson.edu; hulljj@cofc.edu; Larry W. Leckonby; nelson_bobb@uncg.edu; johnsonra@wofford.edu; rick-hart@utc.edu; Roller, Robert L.; sbaker@georgiasouthern.edu; Lori@big12sports.com; Tim Weiser; Tim Weiser; Melanie Ellis

Subject: RE: Use of SAOF

All,

I have been included from time to time in some of the emails and disagreements regarding the uses of SAOF. It seems to continue to escalate and therefore, you will get my two cents. As Myles noted, we agreed to take the matter to the Leadership Council in its oversight role, much like questions to the previous Management Council. I have watched the email exchanges, but have not entered in until now.

Here are some of the facts that I know and please feel free to share this with CCACA members. In this regard, please note that uses of SAOF are not a part of the NCAA interpretations process, an action that was intentional to leave the issues to conferences to resolve to the extent possible and then to rely on the Management Council (now Leadership Council) and Board, which approves allocations to the fund annually.

We continue to want conferences to handle the necessary review of issues and the NCAA will continue to try to avoid doing more than to determine the major prohibitions, which I will not repeat from the legislation here. The so-called document from the NCAA web site that some site, was a "working document" that I created in order to discuss possible uses with the Management Council (probably in 03), which preceded that group's 2003 vote to decline to permit use of the fund for items like team travel enhancements, which was viewed as a line item replacement to institutional budgets. This list was timely then because concern about "van travel" was in the news at that time and there was shared concern about the issue. Regardless, the action taken confirmed that SAOF was intended for direct benefits to student-athletes and we attempted to emphasize that it should not be used for line item enhancements, except for summer school.

We will take the matter to the Leadership Council, but it is my intention to request that the group reconfirm what I just said so that going forward, there can no longer be reliance on old documents, or misunderstanding by any of you or our staff concerning what is and is not permitted. While disputes may continue regarding specific uses, I encourage conferences to work them out because I believe the conservative answer will continue to be the NCAA's likely reaction.

I have not copied the Leadership Council with this note and you are welcome to educate them as you desire before I attempt to do so.

David Berst

DIVISION I LEADERSHIP COUNCIL
DIVERSITY DISCUSSION

1. BACKGROUND.

At its November 1, 2007, meeting, the Division I Board of Directors approved modifications to the Division I governance structure. The approved modifications reflected recommendations presented by the Division I Management Council's Governance Subcommittee after two years of extensive examination and deliberation, much of which focused on diversity issues. At the time of adoption, the Board of Directors noted the importance of ensuring that the new governance structure included a diverse pool of representatives, reflecting not only gender and ethnic diversity, but positional diversity as well.

The legislative requirements that were approved by the Board of Directors established minimum representation requirements of 20 percent ethnic minorities and 35 percent of either gender applied independently to two separate groups of governance bodies, i.e. the 31-member Legislative Council, Leadership Council and Championships/Sports Management Cabinet and the five 21-member cabinets. In approving this legislative standard, the Board agreed to provide additional oversight to the appointment process to help ensure the required minimums would serve as a starting point and not as an end in and of themselves.

After adoption of the recommendations, the 31 multisport conferences, mindful of both the legislative requirements and additional appointment policies, worked closely together to present a diverse slate of nominees to the Board of Directors for review and approval.

At its April 2008 meeting, the Board of Directors reviewed the slate to ensure the appropriate level of diversity, and ultimately approved the conferences' slate of nominees as presented. At that time, the Board again noted the importance of ensuring the governance bodies reflect the level of diversity in Division I and charged the Division I Leadership Council with examining ways to enhance the level of diversity.

2. LEADERSHIP COUNCIL.

In an effort to respond to the Board of Director's charge, the Leadership Council at its August 6 and November 5, 2008, meetings, began its discussion regarding the need to develop a broad-based, long-term approach to increasing the level of gender, ethnic and positional diversity serving within the Division I governance structure. During these first two meetings, members were provided an opportunity to enter into a free-flowing dialogue and share ideas. To date, there purposefully has not been an effort to enter into a more structured conversation, for given the importance of this review, time will be needed to allow the Council members to learn more about the issues and appreciate the complexities.

While the members are at the preliminary stage of receiving information and sharing thoughts, some early themes have been identified; namely efforts need to be made to enhance diversity at the grass roots level and this issue must be viewed as a priority throughout the Division I membership. Further, the ideas offered by the Leadership Council members to date appear to fall into four general topical areas. These areas are: a) The governance structure should be used to help develop new leaders. b) This is a pipeline issue and efforts must focus on attracting people to the profession, hiring a diverse pool and retaining people in the field. c) Mentors and mentoring programs are essential, and d) This is a complex societal issue and athletics cannot address this situation alone. Intercollegiate athletics must both learn from and work with other entities and organizations.

3. SUGGESTIONS FOR ENHANCING THE LEVEL OF DIVERSITY.

a. The governance structure should be used to help develop new leaders.

(1) The Division I Board of Directors should be encouraged to ask the 31 multisport conferences about their efforts to build diversity across the conference structure so that this issue becomes a point of focus and there is a higher level of accountability.

(2) Given that ethnic minorities and females appear to be clustered in certain professional positions that do not typically have the title of associate or assistant athletics director, consideration should be given to eliminating the titles as part of the committee nominating process.

(3) Some governance cabinets and committees provide good opportunities for young professionals to gain experience and grow. Conferences should be encouraged to be strategic in their appointment process and seek to develop long term appointment plans.

(4) The NCAA Convention can serve as a forum to provide development opportunities to young professionals. Efforts should be made to encourage institutions and conferences to send young professionals to the Convention. Additionally, thought should be given to provide governance education and programming specifically for young professionals.

(5) Institutions, conferences and affiliate organizations should be encouraged to identify minority and female professionals for additional exposure to NCAA meetings. Resulting NCAA programming should then be developed.

(6) Conferences should be encouraged to include more and different representatives in their meeting structure as either observers or participants.

b. This is a pipeline issue and efforts must focus on attracting a diverse base of people to the profession, hiring a diverse pool and retaining people in the field.

(1) The issue of enhancing the level of diversity requires not just a national focus but a grass roots approach. Efforts should be made to discuss employment opportunities in intercollegiate athletics with minority and female student-athletes.

(2) More effort needs to be placed on sharing information with young people regarding the benefits of a career in athletics administration and higher education. This outreach effort should include student-athlete leadership conferences, student-athlete advisory groups and athletics administration academic programs.

(3) Institutions must be encouraged to take a long-term approach to building a diverse employee base through hiring. Athletic departments' hiring practices need to be broad-based, systematic and more reflective of institutional practices as a whole.

c. Mentoring and professional development opportunities.

(1) Mentoring efforts are essential, be they formal or informal. It is important to try to establish mentoring relationships for young professionals early in their careers to ensure they develop a long-term career vision.

(2) Mentoring efforts should include providing access to reading materials relative to the important issues facing intercollegiate athletics and higher education, a dedicated Web site for governance/issues education and access to meetings would be beneficial.

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

d. Continue to gather data, assess programs and learn from the good work of others.

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

(2) Any strategic response to this issue developed by the Leadership Council should involve Divisions II and III because all the divisions will grow together.

(3) The NCAA's Diversity and Inclusion staff should be asked to assist the Leadership Council in developing its recommended action plan for the Board of Directors.

(4) The Leadership Council should receive a copy of the Barriers Survey when it is released to assist with its future work.

4. DEVELOPING A PLAN OF ACTION.

While the plan is to provide the Leadership Council with ample time to examine this important issue of how to enhance the level of diversity serving within the Division I governance structure, the Leadership Council ultimately will be expected to provide the Division I Board of Directors with a recommended action plan regarding how to address this issue. At its January meeting, the Leadership Council may want to provide more structure to its conversation. Questions the Leadership Council may want to examine include:

(a) What additional background information would be helpful to further discussions?

(b) What additional data would you like to explore?

(c) Are there any current NCAA programs upon which the Council would like to build?

(d) What type of assessment would you like of current NCAA diversity programming?

(e) Would information regarding diversity efforts within Division I conferences and athletics departments be helpful to this discussion?

(f) Are there other organizations, institutions or businesses that have programs or practices that could serve as helpful guides to this discussion?

(g) Are the major topics identified by the individual Leadership Council members the correct issues that should be highlighted?

(h) Are there other major topical areas that should be identified? If so, what are they?

(i) Does the Leadership Council, as a whole, agree with the specific points raised by individual members?

(j) Given the grass roots nature of this issue, how should we involve the member institutions and conferences in developing a series of recommendations or an action plan?

[Note: The questions listed above are intended to help structure the preliminary conversation but are not intended to address the details regarding the ultimate recommendations for the Board of Directors.]

5. COURSE OF ACTION/NEXT STEPS.

It is anticipated that the Leadership Council will continue to explore this issue over the course of this academic year with the goal of developing a series of recommendations for the Board of Directors' review and acceptance at its October 2009 meeting. As part of this process, the Leadership Council will seek the assistance of both the NCAA Diversity and Inclusion staff and the Research staff. Additionally, the Leadership Council shall seek support and feedback from the governance structure, most notably the Minority Opportunity and Interest Committee and the Committee on Women's Athletics. The Leadership Council will also seek feedback from the 31 multisport conferences and constituent groups such as FARA and the 1A FAR Group.

Report of the October 29-30, 2008, Division I Board of Directors and the November5, 2008, Leadership Council Meetings

Table of Contents of Key Issues

Section One

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

Section Two

Report of the November 5, 2008, Leadership Council Meeting

Status report and examination of items identified by the Division I governance structure and Board of Directors for Leadership Council review. 16

Update regarding the Amateurism Cabinet's discussion of assigned amateurism issues. 17

Examination and preliminary discussion regarding Division I membership standards) 17

Discussion regarding ways to enhance the level of diversity in the Division I governance structure..... 19

Report from the August 6 Leadership Council..... 20

Reports from the Communications and Coordination Committee..... 21

Division I Cabinet reports..... 21

Academic Cabinet 21
Administration Cabinet 22
Amateurism Cabinet 22
Championships/Sports Management Cabinet 22
Recruiting Cabinet 22
Student-Athlete Awards, Benefits and Financial Aid Cabinet 23

Report of the October 20-21 Legislative Council. 23

Review of legislative items in the 2008-09 cycle of potential interest to the Leadership Council 23

Update regarding the work of the Men's Basketball Academic Enhancement Group 24

Report from the Student-Athlete Advisory Committee 24

Update regarding championships travel initiatives 25

2009 NCAA Convention update 26

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

Section One

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

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 Legislative 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.

<u>BOARD ACTIONS</u>:

(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.

Section Two

Action taken on items considered by the Leadership Council on November 5 , 2008

1. Discussion with NCAA President Myles Brand.

LDC ACTION: Entered into a conversation with the NCAA President regarding the current financial landscape and its impact on intercollegiate athletics. During this conversation, the president noted institutions and athletics departments should reasonably anticipate both internal and external pressures during these trying financial times and he stressed that as these pressures increase it is imperative the Division I membership be sensitive to each other's challenges and not focus on the disparities in financial situations. The group discussed the fact institutions must have the will to show self restraint in their approach to spending, be cognizant of perceptions and focus on making financial decisions that reflect the values of higher education.

2. 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.

LDC ACTIONS:

(1) Heard from the NCAA President that as a result of the good work of the Task Force on Commercial Activity in Intercollegiate Athletics in developing a statement of principles, Division I should now have both a better appreciation of the amateurism status of student-athletes and a more reasoned approach to addressing commercial opportunities in keeping with the values of higher education.

(2) Learned that once the Board of Directors receives the task force's report at it's January 2009 meeting, the Leadership Council will be asked to expand upon this work to address the necessary application details.

[Note: Any legislative concepts resulting from the work of the Council will be developed and considered by the governance structure.]

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

LDC ACTIONS:

(1) Received a status report on the preliminary efforts of the Amateurism Cabinet to examine the definition of a professional team along with the issue of how one may become ineligible based on benefits received by the team or team members and learned that the cabinet plans to continue its examination over the course of the next few months;

(2) Encouraged the cabinet to continue its examination.

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

LDC ACTIONS:

(1) Began its examination of membership standards in Division I and as a result of a lively and far reaching discussion began establishing the framework for the Council's future examination of this complex issue.

(2) Heard comments and ideas from individual Leadership Council members regarding Division I membership standards, which included the following:

- The current Division I member standards, which focus on sports sponsorship, scheduling requirements and grant-in-aid awards do not appear to be meaningful in measuring a commitment to Division I and as a result the Leadership Council should strive to take a fresh and creative approach that does not use the current lowest common denominator between members as its foundation.

- The Division I "brand" and the cache of membership within the division is a driving force for many institutions wanting to make the transition to Division I. The label Division I is often attractive to boosters and trustees, yet they often times are not in a position to fully appreciate the level of commitment it takes to become a viable member of the division. Maybe thought should be given to diminishing the labeling aspect of the division.

- Unfettered membership growth is problematic for it taxes the division's ability to provide a full level of services to the membership and a consistent championships experience. As this examination is conducted,

the Council must be mindful that the championships experience is an important aspect of Division I membership and certain championships have a unique status within that structure.

- Division I has a wide range of members, which is part of its appeal to other non-member institutions. The consistent variable that ties Division I institutions together is the Division I governance structure, which provides both governance access and a regulatory system. Accordingly, the governance structure should serve as the foundation for membership standards.

- The Division I governance structure is purposefully built on the foundation of the multisport conferences, therefore, thought should be given to requiring conference affiliation as a requirement for membership.

- Any standards that are developed need to accommodate the fact there will continue to be institutions that the division should look to embrace for its long-term health. Additionally, there will be population and demographic shifts that must be accommodated.

- In keeping with the NCAA's strategic plan, data should help guide the Leadership Council's work. It would be helpful to see a list of the reasons institutions reference for deciding to transition into Division I. Additionally, it would be helpful to see information regarding the profile of current Division I institutions regarding such issues as the number of grant-in-aid awards and sports sponsorship numbers to determine whether there is a natural dividing point between member institutions.

- Conference and NCAA membership provide value to institutions. Information regarding the specifics of the services and value provided to member institutions would be helpful.

- It takes time, as much as 10 years, to fully transition into a mature Division I institution. The current five year process does not appear to be sufficient for institutions to truly appreciate the necessary level of commitment and to become a competitive member of the division.

- Any examination of membership standards must include the perspective of Division I student-athletes and an analysis of the impact on the student-athlete experience.

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

LDC ACTIONS:

(1) Received a presentation regarding the level of gender and ethnic minority representation serving within the Division I governance and committee structures and learned that while the Division I governance structure has met, and is even exceeding, its minimum representation requirements of 35 percent of either gender and 20 percent of ethnic minorities, the data shows that this rate of representation may be difficult to sustain because the level of diversity is not growing at the grass roots level.

(2) Discussed the need to develop a broad-based, long-term approach to increasing the number of women and ethnic minorities working in intercollegiate athletics and individual members shared ideas as follows:

- Given that ethnic minorities and females appear to be clustered in certain professional positions that do not typically have the title of associate or assistant athletic director, consideration should be given to eliminating the titles as part of the committee nominating process.

- Efforts need to be made to further engage the membership regarding the importance of building the level of diversity at the grass roots level. Enhancing the level of diversity must be viewed as a priority throughout the Division I membership.

- Mentoring efforts are essential, be they formal or informal. It is important to try to establish mentoring relationships for young professionals early in their careers to ensure they develop a long-term career vision.

- The Division I Board of Directors should be encouraged to ask the 31 multisport conferences about their efforts to build diversity across the conference structure so that this issue becomes a point of focus and there is a higher level of accountability.

- Institutions must be encouraged to take a long-term approach to building a diverse employee base through hiring. Athletic departments' hiring practices need to be broad-based, systematic and more reflective of institutional practices as a whole.

- More effort needs to be placed on sharing information with young people regarding the benefits of a career in athletics administration and higher education. This outreach effort should include student-athlete leadership conferences, student-athlete advisory groups and athletic administration academic programs.

- Any strategic response to this issue developed by the Leadership Council should involve Divisions II and III because all the divisions will grow together.

- It was recommended that the Leadership Council receive a copy of the Barriers Survey when it is released to assist with its future work.

3. Governance Update.

a. Division I matters.

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

LDC ACTIONS:

(a) Approved the report as distributed. (Unanimous Voice Vote.)

(b) Reviewed the issues identified by the Council in August as possible items for the Division I agenda as set forth below:

- 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.

(c) Affirmed their interest in having these referenced issues explored by the Division I governance structure and added the following issues to the list:

- The structure of championships in trying financial times.

- The financial landscape.

(2) Minutes of the August 7 and October 29 - 30, 2008, Board of Directors meetings. [Reference LDC Supplement No. 4.]

LDC ACTION: Received an overview of the important issues addressed by the Board of Directors during its October 29 – 30, 2008, meeting and discussed the fact that in order to assist the Board in addressing the big issues on the Division I agenda, the Council must not only be in regular communication with the Board but stay in sync with the Board's focus and priorities.

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

LDC ACTION: Heard from the chair that the Communications and Coordination Committee has been established to help coordinate consideration of issues and legislative concepts between the various Division I governance bodies. He explained that this group, which has already convened two times via conference call, is seeking to enhance the level of communication between Division I governance bodies so there is a more cohesive approach to managing the Division I agenda.

(4) Division I Cabinet reports.

LDC ACTION: Reviewed reports from the six Division I cabinets and noted the agenda items prioritized by the cabinets as follows:

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

LDC ACTION: Future agenda items identified by the Academic Cabinet include: The academic success of transfer students, especially two-year college transfer students; nontraditional course work; the impact of academic reform on academic support personnel; and time demands on student-athletes.

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

LDC ACTION: Future agenda items identified by the Administration Cabinet include: To 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; the development of an assessment tool for the new governance structure; an examination of the current number and structure of sport committee regions; and the review of files for schools going through the membership reclassification process.

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

LDC ACTION: Future agenda items identified by the Amateurism Cabinet include: Agents and advisors interaction with prospects and student-athletes; the challenges facing institutions and the NCAA Eligibility Center with regard to amateurism certification; and the definition of a professional team.

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

LDC ACTION: Future agenda items identified by the Championships/Sports Management Cabinet include: Addressing the challenges associated with NCAA Championships travel and continued involvement with the management of championships.

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

LDC ACTIONS:

i. Future agenda items identified by the Recruiting Cabinet include: Coaching limits and the number of non coaching staff members; early offers of athletics aid; and the need to stay abreast with technology due to its impact on recruiting.

ii. Defeated a motion to request the Recruiting Cabinet and the Legislative Council to reexamine consideration of Proposal Nos. 2008-18 -- Recruiting -- Telephone Calls Initiated by a Prospective Student-Athlete at Her Own Expense -- Women's Lacrosse; 2008-27 -- Recruiting -- Unofficial Visit -- Housing -- Lodging in Dormitories -- Additional Restriction -- Women's Lacrosse; 2008-28 Recruiting -- Financial Aid Agreements -- Offers of Aid Before July 1 Following Junior Year -- Women's Lacrosse; and 2008-68-A Administrative Regulations -- Recruiting Calendars -- Women's Lacrosse -- Fall Evaluations -- Limitation on Evaluations of Lacrosse Activities -- Non-Senior Prospective Student-Athletes on the merits and that those governance bodies should not recommend defeat solely due to the legislation's single sport application.

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

LDC ACTION: Future agenda items identified by the Student-Athlete Awards, Benefits and Financial Aid Cabinet include: An examination of maximum grant-in-aid limitations including individual and team limits along with equivalency versus head count designations; multiyear scholarships and the resumption of renewal; and an educational outreach initiative to the financial aid community.

(5) Report of the October 20-21 Legislative Council. [Reference LDC Supplement No. 12.]

LDC ACTIONS:

(a) Learned that during its successful first meeting, the Legislative Council reviewed all proposals in the 2008-09 cycle in an effort to provide comment to the sponsors, governance bodies and membership in advance of Legislative Council's formal consideration at the 2009 NCAA Convention;

(b) Were encouraged to use the Legislative Council's report as a resource in assisting institutions and conferences in conducting legislative reviews in preparation for the 2009 NCAA Convention.

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

LDC ACTIONS:

(a) Discussed the fact that under the new Division I legislative process, the Legislative Council is intended to take final action on the day-to–day legislative matters necessary for the efficient management of Division I, and the Board, with the help of the Leadership Council, is expected to take final action only on the broader legislative concepts impacting the Division I agenda.

(b) Reviewed a number of proposals in the 2008-09 legislative cycle that staff liaisons identified as appropriate for ultimate review by the Board of Directors, including Proposal Nos. 2008-32, 2008-35, 2008-40, 2008-41, 2008-46,2008-48 2008-62, 2008-70 2008-71 and 2008-72 and offered no further suggestions regarding additional proposals that should be added to this list.

[Note: At its January meeting, the Leadership Council will receive an update on the Legislative Council's legislative actions in order to assist the Board of Directors in identifying any legislative proposals that warrant additional review.]

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

LDC ACTIONS:

(a) Were informed that the Men's Basketball Academic Enhancement Group is scheduled to meet on December 3, 2008, to continue its efforts to develop strategies to enhance the academic performance and graduation rates in that sport. At that meeting, it is anticipated the group will begin its examination of the playing and practice season recommendations and will continue it's discussion of issues pertaining to summer school and transfer students.

(b) Learned that the group hopes to present its final report to the Board of Directors in April 2009 and that the Leadership Council, along with the members, will be presented with opportunities to offer comments and suggestions to the report thereafter.

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

LDC ACTION: Received a report from the Division I Student-Athlete Advisory Committee in which the committee's chair reviewed that group's upcoming meeting agenda and asked Leadership Council members for suggestions regarding topics of interest for the joint SAAC/Council breakfast scheduled for the 2009 NCAA Convention.

b. Association-wide matters.

(1) Report from the August 7 and October 30 NCAA Executive Committee meetings. [Reference LDC Supplement No. 16.]

LDC ACTION: Received the report and learned about the NCAA's new data sharing policy, the establishment of the Jim McKay Postgraduate Scholarship and the new committee conflict of interest policy.

[Note: Leadership Council members will be receiving more information regarding the NCAA's new committee conflict of interest policy shortly.]

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

LDC ACTIONS: Did not receive an oral report due to time constraints.

4. News from the NCAA.

a. Update regarding championships travel initiatives. [Reference LDC Supplement No. 18.]

LDC ACTIONS:

(1) Received a presentation from the NCAA senior vice president for championships regarding recent travel industry trends and were informed:

- That the NCAA has incurred a substantial increase in the costs associated with championships travel as illustrated below:

	Division I Dollar Increase per Year	All Divisions Percentage Increase per Year
2005-06	$3.2 million	19%
2006-07	$1.6 million	8%
2007-08	$6.8 million	31%

- 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.

(2) 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 Leadership Council will be kept informed regarding the impact of changes that have been enacted.

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

LDC ACTIONS: Did not receive an oral report due to time constraints.

5. 2009 NCAA Convention update. [Reference LDC Supplement No. 21.]

LDC ACTIONS:

a. 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

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

Friday, January 16

- SAAC/Leadership Council/Legislative Council Breakfast. (8 – 9:30 a.m.)
- 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.]

[Note: The Leadership Council members were asked to assist in identifying agenda topics for the Leadership Council/CCA meeting, the Leadership Council/Legislative Council/CCA Luncheon, SAAC/Leadership Council/Legislative Council Breakfast and the BOD/Leadership Council/Legislative Council Luncheon.]

b. Review of override process. Were reminded that as a result of the Board's 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.

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

7. Adjournment.

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A G E N D A

National Collegiate Athletic Association
Division I Legislative Council

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

January 14-15, 2009

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

1. Opening remarks.

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

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

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

6. Governmental relations report.

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

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

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

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

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

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

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

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

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

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

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

10. NCAA Association-wide committee reports.

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

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

11. Legislative issues.

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

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

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

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

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

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

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

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

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

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

12. Future meeting dates.

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

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

13. Other business.

14. Key discussion points summary.

15. Adjournment.

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 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

DIVISION I COMMUNICATIONS AND COORDINATION COMMITTEE

CONFERENCE CALL

Participants: December 15, 2008

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

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

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

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

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

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

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

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

3. **2009 NCAA Convention**.

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

Thursday, January 15

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

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

Friday, January 16

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

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

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

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

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

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

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

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REPORT OF THE NCAA DIVISION I STUDENT-ATHLETE ADVISORY COMMITTEE

The NCAA Division I Student-Athlete Advisory Committee (SAAC) submits the following report from its November 21-23, meeting.

ACTION ITEMS.

- **None.**

INFORMATIONAL ITEMS.

1. New Members. The following student-athletes were introduced as new members of SAAC:

a. Monique Carroll, volleyball and outdoor track, University of Arkansas, Pine Bluff, Southwestern Athletic Conference;

b. Eryn Crane, swimming, Loyola College (Maryland), Metro Atlantic Athletic Conference;

c. Melanie Cruz, softball, Tennessee State University, Ohio Valley Conference;

d. Shanay Freeman, basketball, Fairleigh Dickinson University, Metropolitan, Northeast Conference;

e. Scott Krapf, indoor and outdoor track, cross country, Illinois State University, Missouri Valley Conference;

f. Catherine Marosszeky, soccer, Kent State University, Mid-American Conference;

g. William McInnis, baseball, Lamar University, Southland Conference;

h. Anne Morrison, rowing, California State University, Sacramento, Big Sky Conference;

i. Jarrett Newby, indoor and outdoor track, cross country, East Carolina University, Conference USA.

2. **Divisional Committee Reports.** SAAC members were provided updates relating to Division I committees on which SAAC members serve. The following items were noted:

   a. NCAA Division I Legislative and Leadership Councils and NCAA Division I Board of Directors. Kerry Kenny and Matt Baysinger provided an update on the October meetings of the Legislative Council and Board of Directors and the November meeting of the Leadership Council. Mr. Baysinger noted that the Legislative Council undertook an exhaustive review of proposed legislation for the 2008-09 legislative cycle and took a number of preliminary positions on various proposals. Mr. Baysinger also noted that the Legislative Council adopted three proposals as noncontroversial legislation. Mr. Kenny stated that the Leadership Council received various cabinet updates during its November meeting, including a status report from the Task Force on Commercial Activity in Intercollegiate Athletics and an update from the Amateurism Cabinet's discussion of assigned amateurism issues. Mr. Kenny also noted that the Council continues to discuss and examine Division I membership standards. Mr. Kerry noted that the Board of Directors received a report from Dr. Myles Brand, NCAA President regarding updates on the NCAA Committee on Sportsmanship and Ethical Conduct Initiative and a status report on the Division I Task Force on Commercial Activity in Intercollegiate Athletics. The Board of Directors was updated on the work of various governance cabinets and committees, and was apprised of legislative issues of interest in the 2008-09 legislative cycle.

   b. NCAA Division I Championships/Sports Management Cabinet. Danielle Neault provided an update regarding the cabinet's discussions during its September meeting. Ms. Neault noted that the cabinet discussed best practices for containing travel costs for Division I championships. The cabinet also discussed proposals that had been forwarded to it for further discussion, including a proposal regarding changing the definition of a prospective student-athlete in the sport of men's basketball.

   c. NCAA Division I Academics Cabinet. Mr. Kenny informed SAAC of the cabinet's meeting in September. The cabinet discussed sponsored proposals for the 2008-09 legislative cycle, and their potential impact. Mr. Kerry noted that the group continues to focus on the issue of identifying and supporting at-risk student-athletes.

   d. NCAA Division I Amateurism Cabinet. Mr. Kenny updated SAAC members regarding the cabinet's September meeting, including its discussion of Proposal 2008-13. The cabinet also received updates regarding the NCAA Task Force on Commercial Activity in Intercollegiate Athletics and collegiate fantasy leagues.

e. NCAA Division I Student-Athlete Awards, Benefits, Expenses and Financial Aid Cabinet. Mr. Baysinger provided an update to the committee regarding the cabinet's September meeting. Mr. Baysinger provided a review of comments that the cabinet made on several proposals in the 2008-09 legislative cycle, including contact rules with respect to individuals that have enrolled in either summer classes prior to full-time initial enrollment or begun attendance at an institutional orientation session.

f. NCAA Division I Administration Cabinet. Camille Richard noted that the Cabinet appointed a number of new members within the NCAA governance structure. Ms. Richard noted that the Cabinet is working on a new assessment tool for how the new governance structure is working. She also added that the Cabinet is considering how to enhance diversity within the governance structure.

g. NCAA Division I Recruiting and Personnel Issues Cabinet. Audrey Piotrowski provided an update of the September meeting of the Cabinet. Ms. Piotrowski noted that the cabinet discussed its guiding principles and future priorities. In addition, the Cabinet discussed several proposals to be initially considered by the NCAA Division I Legislative Council in January 2009, including sport-specific recruiting proposals.

h. NCAA Division I Men's Basketball Issues Committee. Mr. Kenny provided an update on an August conference call meeting of the committee. He noted that the Committee discussed the definition of a prospective student-athlete, current NCAA legislation regarding the NBA draft process, and the override of proposal 2007-30-C. Mr. Kenny focused on how pending legislation might affect the pre-college environment of men's basketball. The group discussed potential legislation that would affect how student-athletes are able to declare for the NBA draft.

i. NCAA Division I Women's Basketball Issues Committee. Mr. Baysinger discussed items that arose during the committee's September meeting. Mr. Baysinger noted that the committee continued its discussion of implementation of an academic incentive model within the sport. He also noted that the committee had discussed pending legislation, including 2008-31. Mr. Baysinger noted that the committee reviewed how it can better market the sport of women's basketball, and also how there can be a better focus on the well-being and development of women's basketball student-athletes and coaches.

3. Guest Speakers. The committee welcomed a number of speakers from the NCAA staff to discuss issues involving student-athlete well-being, including the following:

a. Dr. Myles Brand, NCAA President, addressed the committee regarding a host of issues affecting student-athlete well-being, including commercialism in college athletics, college fantasy sports leagues, the fiscal situation of member institutions and the amount of alcohol advertisements at NCAA championships.

b. Dr. Bernard Franklin, NCAA Executive Vice-President, conducted a session with the group, allowing the committee to present him with some of the issues that they believe to be most crucial to enhancing the overall student-athlete experience.

c. Mr. Robert Vowels, NCAA Vice-President of Educational Affairs, provided an overview of the programs offered by the NCAA Educational Affairs department, and conducted a question and answer session regarding the development of new educational initiatives geared towards both prospective and current student-athletes. Mr. Vowels also provided information regarding the NCAA's Green Team initiative, and noted that he is looking for new SAAC representatives for this group.

d. Ms. Karen Morrison, NCAA Director for Gender Equity, presented to the committee on various gender equity initiatives within the NCAA national office, and discussed the NCAA emerging sports program, including the addition of sand volleyball as an emerging sport.

e. Ms. Mary Wilfert, NCAA Associate Director of Health and Safety, provided an overview of the NCAA's initiatives on improving and addressing mental health stability among student-athletes.

4. Men's Basketball Academic Enhancement Working Group. Mr. Kenny provided an update regarding the most recent meeting of the basketball academic enhancement working group. Mr. Kenny provided background regarding the mission and makeup of the group. He also noted that the group was focusing on the issue of mandatory summer school, playing and practice seasons, and raising the Academic Progress Rate scores of men's basketball student-athletes. Mr. Kenny solicited comments from the committee regarding these issues, and the committee members provided feedback that they had gathered from men's basketball student-athletes within their respective conferences.

5. Joint Student-Athlete Advisory Committee Meeting**.** Student-athlete representatives provided updates regarding association-wide committees as well as updates on the initiatives of each individual SAAC. Mark Palmenter provided a presentation on interviewing skills, geared towards the strengths of student-athletes. Curtis Hollomon also notified the group of its upcoming participation in an educational session at the 2009 Convention, entitled "90 Minutes with SAAC."

6. 2008 NCAA Division I West Regional Leadership Conference. Mr. Baysinger provided an update regarding SAAC's participation in the November West Regional Leadership Conference in La Jolla, California. Mr. Baysinger noted that he participated in a presentation regarding the legislative process, and the other committee members present participated in a series of skits that highlighted issues of student-athlete well-being.

7. SAAC Communications Discussion. Dana Thomas, NCAA Assistant Director of Public and Media Relations and Brian Alas provided an update on various initiatives that have been undertaken over the past year to improve the marketing and multi-media presence of the committee. To that end, Ms. Thomas and Mr. Alas discussed the recent issues of the SAAC Speaks Newsletter, and the creation of a Division I SAAC Facebook.com web page.

8. SAAC Web Site. Megan Coyne, NCAA governance intern, provided an update on the development of the Division I SAAC web site, and highlighted certain areas of the web site that have been improved and revamped. Ms. Coyne requested that the new members of the committee provide biographical information to be included on the site.

9. 2008 Fall Internet Meetings. Abbie Renaker noted that the Internet legislative calls went generally well during the month of September, with the exception of some technical glitches. SAAC members commended Ms. Renaker's efforts with the Internet meetings. The group discussed and re-affirmed the effectiveness of the meeting, and expressed some concern about making sure that the timing of the meeting fits well in the legislative process.

10. Early Offers of Athletically Related Financial Aid. The committee discussed the issue of individuals as young as sixth or seventh grade committing to institutions. While the committee is not taking an official stance on the issue, as there is no pending legislation, the overwhelming consensus of the group was that this practice is inappropriate. This practice places undue pressure on young boys and girls, and could easily lead to situations where an institution or a prospective student-athlete chooses to rescind its verbal commitment. The committee also noted that it appeared counter-intuitive to the mission of the NCAA as a higher education institution, to allow institutions to offer athletically-related financial aid to individuals that have no high school academic record. From the perspective of student-athlete well-being, the committee could not find any rationale under which it could lend its support to the practice of early offers of athletically related financial aid.

11. NCAA Championship Travel Issues. Mr. Kenny and Ms. Neault discussed the review of cost-related issues with respect to travel to NCAA Championships that was

undertaken at the most recent Division I Championships/Sports Management Cabinet. Ms. Neault discussed the three tiers of championships, and as an example, Mr. Kenny noted the possibility of inter-conference rivals meeting in the second round of championship competition in order to regionalize these championships.

12. Update from Knight Commission on Intercollegiate Athletics Meeting. Mr. Kenny provided an overview of his attendance and participation at the Knight Commission meeting on October 27th. Mr. Kenny noted that the meeting touched on the commercialization of student-athletes, and that he participated on a panel regarding college fantasy with other former student-athletes. The committee had a general discussion regarding the place of fantasy sports leagues in intercollegiate sports, and the issue of commercialization of Division I athletics, and student-athletes in particular.

13. Update from Faculty Athletics Representatives Meeting. Trisha Gibbons and Mr. Baysinger provided an update on their attendance and participation at the Faculty Athletics Representative Association (FARA) meeting from November 13-15, 2008. Ms. Gibbons noted that she and Mr. Baysinger were provided an opportunity to speak in front of FARA, and specifically address how to encourage student-athletes to greater utilize their individual faculty athletic representative. The committee members discussed how they enlist the assistance of their individual faculty athletics representative, and expressed concern about the varying degrees of involvement by faculty athletics representatives on each campus, and questioned general student-athlete understanding of the faculty athletics representative's role within the athletic department.

14. Discussion of Best Practices for Developing a Campus SAAC. Ms. Renaker provided information regarding the NCAA Division I certification process. She noted that the Division I Committee on Athletic Certification is looking to create a document that will provide best practices for developing and maintaining an effective campus SAAC. Ms. Renaker shared a draft of a best practices document that she had created, and requested feedback from the committee members.

15. SAAC Priorities Document. Mr. Baysinger presented an update on the document created in 2007 regarding priorities and focal points to guide the Division I SAAC in its development. Mr. Baysinger solicited feedback from the committee on whether the document addresses what the committee is engaged in, and what could be changed to better encapsulate both the responsibilities and goals of the national SAAC.

16. Legislative Issues. SAAC members reviewed numerous proposals in the current legislative cycle with a student-athlete well-being component. Discussions included, but were not limited to, financial aid, amateurism and recruiting issues, as well as

several proposals dealing with playing and practice seasons. The position of national SAAC is included in this report (attachment). Please note additional discussions regarding selected proposals may occur in January.

17. Attendance**.** As requested by the NCAA Division I Management Council, the attendance list for the July meeting is as follows:

Conference	School	Name	Sport	Present
America East Conference	University of Hartford	Alexandra Morley	Softball	Yes
Atlantic 10 Conference	University of Richmond	Brian Alas	Baseball	Yes
Atlantic Coast Conference	University of Maryland	Allison Houseal	Women's Water Polo	Yes
Atlantic Sun Conference	Jacksonville University	Danielle Gray	Women's Basketball	No
Big 12 Conference	University of Kansas	Matthew Baysinger	Men's Track and Field	Yes
Big East Conference	Rutgers University, The State University of New Jersey	Brittany Loisel	Softball	No
Big South Conference	Winthrop University	Benten Kieffner	Men's Soccer	No
Big Sky Conference	California State University, Sacramento	Anne Morrison	Women's Rowing	Yes
Big Ten Conference	University of Wisconsin, Madison	Nick Fulton	Men's Swimming	Yes
Big West Conference	University of the Pacific	Danielle Neault	Field Hockey	Yes
Colonial Athletic Conference	James Madison University	Matthew Goff	Football	No
Conference USA	East Carolina University	Jarrett Newby	Men's Track and Field	Yes
Horizon League	Cleveland State University	Audrey Piotrowski	Women's Cross Country	Yes
Ivy Group	University of Pennsylvania	Camille Richard	Women's Track and Field	Yes

Metro Atlantic Athletic Conference	Loyola College	Eryn Crane	Women's Swimming	Yes
Mid-American Conference	Kent State University	Catherine Marosszeky	Women's Soccer	Yes
Mid-Eastern Athletic Conference	Hampton University	Aminah Charles	Volleyball	Yes
Missouri Valley Conference	Illinois State University	Scott Krapf	Men's Track and Field	Yes
Mountain West Conference	San Diego State University	Sherraine Pencil	Women's Track and Field	Yes
Northeast Conference	Fairleigh Dickinson University, Metropolitan	Shanay Freeman	Women's Basketball	Yes
Ohio Valley Conference	Tennessee State University	Melanie Cruz	Softball	Yes
Pacific -10 Conference	University of California-Berkeley	Justin Pollard	Men's Swimming	Yes
Patriot League	Lafayette College	Kerry Kenny	Men's Basketball	Yes
Southeastern Conference	University of South Carolina	William Brown	Football	Yes
Southern Conference	Western Carolina University	Kendra Eaton	Women's Basketball	No
Southland Conference	Lamar University	William McInnis	Baseball	Yes
Southwestern Athletic Conference	University of Arkansas, Pine Bluff	Monique Carroll	Volleyball, Outdoor Track	Yes
The Summit League	Oakland University	Stewart Givens	Men's Soccer	No

Sun Belt Conference	Western Kentucky University	Patrick Jenkins	Cross Country/Track	Yes
West Coast Conference	Pepperdine University	Julie Rubenstein	Women's Volleyball	No
Western Athletic Conference	University of Nevada	Trisha Gibbons	Women's Soccer	Yes
Others:				
Legislative Council	Texas State University – San Marcos	Tracy Shoemake, Associate Athletic Director	Southland Conference	No
Leadership Council	University of Maryland	Charles F. Wellford, Faculty Athletics Representative	Atlantic Coast Conference	No
Leadership Council	Pepperdine University	John G. Watson, Director of Athletics	West Coast Conference	No

18. Future Meeting Schedule.

a. January 13-17, 2009, NCAA Convention, Washington, D.C.

b. July 16-19, 2009; Denver, Colorado.

c. November 2009, Indianapolis, Indiana.

Committee Chair: Kerry Kenny, Lafayette College, Patriot League
Committee Vice-Chair: Matthew Baysinger, University of Kansas, Big 12 Conference
Staff Liaisons: Curtis Hollomon, NCAA Educational Affairs
Kelly Groddy, NCAA Academic and Membership Affairs
Abbie Renaker, NCAA Academic and Membership Affairs
John Shukie, NCAA Academic and Membership Affairs

REPORT OF THE
NCAA DIVISION I STUDENT-ATHLETE ADVISORY COMMITTEE

The NCAA Division I Student-Athlete Advisory Committee (SAAC) submits the following report from its January 13-14, 2009 meeting.

ACTION ITEMS.

- **Ratification of Chair and Selection of Vice Chair.** The committee recommends that the NCAA Division I Leadership Council ratify Matt Baysinger, University of Kansas, (Big 12 Conference) as chair and Nick Fulton, University of Wisconsin, Madison (Big Ten Conference) as vice chair.

INFORMATIONAL ITEMS.

1. **New Member.** The following student-athlete was introduced as a new member of SAAC:

- Stewart Givens, men's soccer, Oakland University, Summit League.

2. **Report of the NCAA Division I Committee on Student-Athlete Reinstatement**. Mr. Kerry Kenny provided an update to the committee regarding the NCAA Division I Committee on Student-Athlete Reinstatement's most recent meeting, and solicited feedback from committee members regarding the use of redshirt seasons for student-athletes, and how this may affect a student-athlete's eligibility when other circumstances outside the control of the student-athlete or his or her institution require the student-athlete to miss a year of competition. Kenny also reminded the committee members to reinforce the importance of the hardship waiver process to their constituent on their campuses and conferences.

3. **New Media Update**. Mr. Brian Alas provided the committee with an update regarding various media initiatives that have been undertaken in recent months. Alas focused on various multimedia programs, including the Division I National SAAC Facebook page, live blog on Twitter and the committee's presence on the NCAA homepage.

4. **Conference Updates.** SAAC members highlighted unique conference activities and issues facing their members during the past year.

5. **Legislative Issues**. The committee continued discussion and finalized its positions regarding proposals previously identified for the 2008-09 legislative cycle. [Attachment]

6. Attendance. As requested by the Leadership Council, the attendance list for the January meeting is as follows:

Conference	School	Name	Sport	Present
America East Conference	University of Hartford	Alexandra Morley	Softball	Yes
Atlantic 10 Conference	University of Richmond	Brian Alas	Baseball	Yes
Atlantic Coast Conference	University of Maryland	Allison Houseal	Women's Water Polo	Yes
Atlantic Sun Conference	Jacksonville University	Danielle Gray	Women's Basketball	No
Big Twelve Conference	University of Kansas	Matthew Baysinger	Men's Track and Field	Yes
Big East Conference	Rutgers University, The State University of New Jersey	Brittany Loisel	Softball	Yes
Big South Conference	Winthrop University	Benten Kieffner	Men's Soccer	Yes
Big Sky Conference	California State University, Sacramento	Anne Morrison	Women's Rowing	Yes
Big Ten Conference	University of Wisconsin, Madison	Nick Fulton	Men's Swimming	Yes
Big West Conference	University of the Pacific	Danielle Neault	Field Hockey	Yes
Colonial Athletic Conference	James Madison University	Matthew Goff	Football	No
Conference USA	East Carolina University	Jarrett Newby	Men's Track and Field	Yes
Horizon League	Cleveland State University	Audrey Piotrowski	Women's Cross Country	Yes
Ivy Group	University of Pennsylvania	Camille Richard	Women's Track and Field	Yes
Metro Atlantic Athletic Conference	Loyola College	Eryn Crane	Women's Swimming	Yes
Mid-American Conference	Kent State University	Catherine Marosszeky	Women's Soccer	Yes

Conference	School	Name	Sport	Present
Mid-Eastern Athletic Conference	Hampton University	Aminah Charles	Volleyball	Yes
Missouri Valley Conference	Illinois State University	Scott Krapf	Men's Track and Field	Yes
Mountain West Conference	San Diego State University	Sherraine Pencil	Women's Track and Field	Yes
Northeast Conference	Fairleigh Dickinson University, Metropolitan	Shanay Freeman	Women's Basketball	Yes
Ohio Valley Conference	Tennessee State University	Melanie Cruz	Softball	No
Pacific 10 Conference	University of California, Berkeley	Justin Pollard	Men's Swimming	Yes
Patriot League	Lafayette College	Kerry Kenny	Men's Basketball	Yes
Southeastern Conference	University of South Carolina	William Brown	Football	Yes
Southern Conference	Western Carolina University	Kendra Eaton	Women's Basketball	No
Southland Conference	Lamar University	William McInnis	Baseball	No
Southwestern Athletic Conference	University of Arkansas, Pine Bluff	Monique Carroll	Volleyball, Outdoor Track	Yes
The Summit League	Oakland University	Stewart Givens	Men's Soccer	Yes
Sun Belt Conference	Western Kentucky University	Patrick Jenkins	Cross Country/Track	Yes
West Coast Conference	Pepperdine University	Julie Rubenstein	Women's Volleyball	Yes
Western Athletic Conference	University of Nevada	Trisha Gibbons	Women's Soccer	Yes

Others:				
Legislative Council	Texas State University – San Marcos	Tracy Shoemake, Associate Athletic Director	Southland Conference	Yes
Leadership Council	Pepperdine University	John G. Watson, Director of Athletics	West Coast Conference	Yes
Leadership Council	University of Maryland, College Park	Charles F. Wellford, Faculty Athletic Representative	Atlantic Coast Conference	No

20. Future Meeting Schedule.

a. July 17-19, 2008, Denver, Colorado.

b. November 2009, Indianapolis, Indiana.

c. January 12-16, 2010, in conjunction with the 2010 NCAA Convention, Atlanta, Georgia.

Committee Chair: Kerry Kenny, Lafayette College, Patriot League
Committee Vice-Chair: Matt Baysinger, University of Kansas, Big 12 Conference
Staff Liaisons: Kelly Groddy, NCAA Academic and Membership Affairs
Curtis Hollomon, NCAA Educational Affairs
Abbie Renaker, NCAA Academic and Membership Affairs
John Shukie, NCAA Academic and Membership Affairs

Attachment to Addendum
SUPPLEMENT NO. 9
DI Legislative Council 01/09

NCAA Division I Student-Athlete Advisory Committee (SAAC)
2008-09 Voting Results

AMATEURISM					
Proposal No. and Title	**Intent**	**Support**	**Oppose**	**Split**	**Comments**
2008-13-A 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.	X			• Individual sport student-athletes should receive the same benefits that team sport student-athletes enjoy (i.e. opportunity to have expenses paid). • Would provide further opportunity for skill development for individual student-athletes. • The committee supported 2008-13-A over 2008-13-B, as it would provide for greater opportunities for student-athletes to participate in such activities. 2008-13-B may also adversely affect student-athletes that participate in winter-only sports.
2008-13-B 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 the institution's summer vacation period and the prize money does not exceed actual and necessary expenses and is provided only by the sponsor of the open event.	X			• Individual sport student-athletes should receive the same benefits that team sport student-athletes enjoy (i.e. opportunity to have expenses paid). • Would provide further opportunity for skill development for individual student-athletes.

PLAYING AND PRACTICE SEASONS					
Proposal No. and Title	**Intent**	**Support**	**Oppose**	**Split**	**Comments**
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.	X			• Allows for more flexible time to work with coaches, which generally helps student-athletes improve in their sport.
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.		X		• The committee would like to see the impact of the effect of the package of baseball legislation that was enacted over the last two years before making any more changes in baseball legislation. • Four extra contests allow for more opportunities for student-athletes to participate in competition, and also allows for more out-of-conference contests.
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.	X			• Would provide more opportunities for student-athlete participation. • Coaches and the football team should not be punished for an injury occurring to another student-athlete, and should be able to replace that spot on the team.

PLAYING AND PRACTICE SEASONS					
Proposal No. and Title	**Intent**	**Support**	**Oppose**	**Split**	**Comments**
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.	X			• If the workouts are truly voluntary, this legislation would support the safety of student-athletes during events that run the risk of danger. • These are fundamental and technical workouts, and it would be beneficial for student-athletes to have a coach there to provide safety feedback.

AWARDS, BENEFITS AND EXPENSES					
Proposal No. and Title	**Intent**	**Support**	**Oppose**	**Split**	**Comments**
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 Invitational Tournament, bowl game) with six complimentary admissions to all intercollegiate athletics events at the site at which the student (or team) participates.	X			• Would provide a well-earned benefit to student-athletes that reach the post-season. • Would provide opportunities for attendance to student-athletes that may have not otherwise been provided with tickets.
2008-43 AWARDS, BENEFITS AND EXPENSES -- HOUSING AND MEALS -- NUTRITIONAL SUPPLEMENTS -- FRUIT, NUTS AND BAGELS	To 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.	X			• Members noted that fruit juice and milk should be included in the list of nutritional supplements allowed to be provided. • Should be allowed to provide these items, as it would benefits the overall health and well-being of student-athletes.

ELIGIBILITY					
Proposal No. and Title	**Intent**	**Support**	**Oppose**	**Split**	**Comments**
2008-32-A 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.	X			• This would allow for greater flexibility for student-athletes that are in majors that require courses to be taken on-line. • Legislation would allow for the definition of a non-traditional course to “level the playing field” for student-athletes nationwide. • Would provide student-athletes with the same opportunities afforded to non student-athletes.

ELIGIBILITY					
Proposal No. and Title	**Intent**	**Support**	**Oppose**	**Split**	**Comments**
2008-32-B 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 up to 50 percent of the minimum full-time enrollment requirement for competition, provided the specific conditions are met.	**X**			• This would allow for greater flexibility for student-athletes that are in majors that require courses to be taken on-line. • Legislation would allow for the definition of a non-traditional course to "level the playing field" for student-athletes nationwide. • Would provide student-athletes with the same opportunities afforded to non student-athletes. • **The committee prefers 2008-32-B over 2008-32-A, but supports both proposals.**
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.	**X**			• This would provide a more equal playing field for volleyball student-athletes, in that prospective student-athletes would be unable to compete for many year s in organized competition before enrolling in an NCAA institution. • Committee believed that volleyball student-athletes should be covered under the same legislation as tennis, swimming and diving.

ELIGIBILITY					
Proposal No. and Title	**Intent**	**Support**	**Oppose**	**Split**	**Comments**
2008-35-A 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.	X			• Institutions continue to develop greater opportunities for on-line and other non-traditional coursework, and this would allow student-athletes to take advantage of these resources. • The Committee noted that student-athletes should be afforded the same opportunities as the general student population. • The Committee did express its concern regarding the monitoring of abuses with the use of non-traditional courses by student-athletes, especially with sports that are required to travel extensively for competition.

ELIGIBILITY					
Proposal No. and Title	**Intent**	**Support**	**Oppose**	**Split**	**Comments**
2008-35-B 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 up to 50 percent of a student-athlete's credit hour and percentage-of-degree requirements, provided the specified conditions are met.	X			• **The committee prefers 2008-35-B over 2008-35-A, but supports both proposals.** • Institutions continue to develop greater opportunities for on-line and other non-traditional coursework, and this would allow student-athletes to take advantage of these resources. • The Committee noted that student-athletes should be afforded the same opportunities as the general student population. • The Committee noted that 2008-35-B provides some safeguards for the abuse of the use of non-traditional courses.
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.	X			• The committee believed that it should not be easy for a student-athlete to transfer to another institution and compete during the same academic year, as it could encourage greater degrees of transferring and a "free agent" market. • Passage of the legislation would encourage a stronger team atmosphere and more careful consideration during the recruiting process.

RECRUITING					
Proposal No. and Title	**Intent**	**Support**	**Oppose**	**Split**	**Comments**
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 fulltime enrollment.	X			• This would allow the student-athletes to become acclimated to being a part of a team on campus, and ease their transition from high school to college. • Allows student-athletes to have better communication with their coaches and administrators once they reach campus, and are taking classes.
2008-15-A 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 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 with 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.	X			• This piece of legislation would benefit international student-athletes on the whole. • Would provide for an easier transition for student-athletes from high school to college. • If a student-athlete is attending orientation within 14 days of the first day of classes, it is clear that the student-athlete is very likely to officially enroll at that institution.

RECRUITING					
Proposal No. and Title	**Intent**	**Support**	**Oppose**	**Split**	**Comments**
2008-15-B 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 for a prospective student-athlete who is not eligible to sign an NLI (e.g., four-year college transfer), the institution's written offer of admission and/or financial aid] and has reported to an institutional orientation session with 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 orientation.	**X**			• This piece of legislation would benefit international student-athletes on the whole. • Would provide for an easier transition for student-athletes from high school to college. • If a student-athlete is attending orientation within 14 days of the first day of classes, it is clear that the student-athlete is very likely to officially enroll at that institution. • **The Committee supports 2008-15-B over 2008-15-A.**
2008-16 RECRUITING – CONTACTS AND EVALUATIONS – CONTACTABLE INDIVIDUALS – STUDENT-ATHLETE WITHDRAWN FROM FOUR-YEAR COLLEGE – EXCEPTION – OFFICIAL CHRUCH 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 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.	**X**			• Student-athletes on church missions generally want to focus on their mission activities, and would not want to be distracted by recruiting contacts. • Student-athletes on church missions are generally allowed limited communication while participating in their mission, which should not be directed towards recruiting correspondence.

RECRUITING					
Proposal No. and Title	**Intent**	**Support**	**Oppose**	**Split**	**Comments**
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.	X			• While the Committee is aware that the Board of Directors and Leadership Council has identified the issue of early recruiting/offers as an important issue, the Committee believed that this legislation could prove to be an innovative way to regulate recruiting, and may eventually be adopted in other sports. • This legislation would relieve some of the pressures placed upon prospective student-athletes, when they are directed to pre-arrange telephone calls by a coach. • While the actions of coaches under this legislation may be difficult to monitor, the Committee believed that the core purpose and principles of the legislation were most important to consider.
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.		X		• The Committee believed that adopting this legislation would place undue burden and pressure on prospective football student-athletes.

RECRUITING					
Proposal No. and Title	**Intent**	**Support**	**Oppose**	**Split**	**Comments**
2008-23 RECRUITING — RECRUITING MATERIALS — ELECTRONIC TRANSMISSIONS — AFTER NATIONAL LETTER OF INTENT SIGNING OR OTHER WRITTEN COMMITMENT	To specify that on or after May 1 of a prospective student-athlete's senior year in high school, there shall be no limit on the forms of electronically transmitted correspondence that may be sent by an institution to the prospective student-athlete provided the institution has received his or her room or tuition deposit in response to the institution's offer of admission.	X			• The student-athlete has shown a commitment to the institution, and should be able to have this direct contact with the coaching staff. • Would help student-athletes' ability to answer questions regarding the school that they will soon be attending.
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.	X			• Legislation would provide further opportunities for student-athlete's to train with their teammates. • The proposal would help ease the transition of a student-athlete from high school to college.

FINANCIAL AID					
Proposal No. and Title	**Intent**	**Support**	**Oppose**	**Split**	**Comments**
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.		X		• The committee did not see a need for more scholarship student-athletes in volleyball given that, in many cases, not that many student-athletes actually participate in matches. • The committee had a concern that the pool of quality of players was insufficient to justify adding an additional scholarship. • The committee would like to make special note that, while it does not support this particular legislative proposal, this decision is based on the specific circumstances of the sport of volleyball.
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.		X		• The Committee believed that the baseball legislation recently adopted has not had a chance to run its course, and should not be altered prematurely. • Given that many institutions do not fully fund the sport of baseball, this legislation would allow the more prosperous schools to increase their roster size, while widening the gap between themselves and lower-resource institutions.

	OVERRIDE				
Proposal No. and Title	**Intent**	**Support**	**Oppose**	**Split**	**Comments**
2007-30 C RECRUITING -- CONTACTS AND EVALUATIONS -- MEN'S BASKETBALL EVALUATIONS -- APRIL CONTACT PERIOD	To specify that evaluations of live athletics activities during the April contact period shall be limited to regularly scheduled high school, preparatory school and two-year college contests/tournaments and practices; and regular scholastic activities involving prospective student-athletes enrolled only at the institution at which the regular scholastic activities occur; further, to amend the April contact period to begin at noon on the first Thursday following the Men's Basketball Championship and continue through seven days following the initial date for the spring signing of the National Letter of Intent.		X		• The Committee believed that the conditions associated with these non-scholastic tournaments were not sound for prospective student-athletes to be involved in. • Non-scholastic events held during the April contact period take away from the academic pursuits of prospective student-athletes because they are required to travel extensively to these tournaments • College coaches attending these events take away from the time that they have on campus with their student-athletes during a critical academic time period.

NCAA Division I Student-Athlete Advisory Committee (SAAC)
2008-09 Voting Results

AMATEURISM					
Proposal No. and Title	**Intent**	**Support**	**Oppose**	**Split**	**Comments**
2008-13-A 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.	X			• Individual sport student-athletes should receive the same benefits that team sport student-athletes enjoy (i.e. opportunity to have expenses paid). • Would provide further opportunity for skill development for individual student-athletes. • The committee supported 2008-13-A over 2008-13-B, as it would provide for greater opportunities for student-athletes to participate in such activities. 2008-13-B may also adversely affect student-athletes that participate in winter-only sports.
2008-13-B 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 the institution's summer vacation period and the prize money does not exceed actual and necessary expenses and is provided only by the sponsor of the open event.	X			• Individual sport student-athletes should receive the same benefits that team sport student-athletes enjoy (i.e. opportunity to have expenses paid). • Would provide further opportunity for skill development for individual student-athletes.

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.	X			• Allows for more flexible time to work with coaches, which generally helps student-athletes improve in their sport.
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.		X		• The committee would like to see the impact of the effect of the package of baseball legislation that was enacted over the last two years before making any more changes in baseball legislation. • Four extra contests allow for more opportunities for student-athletes to participate in competition, and also allows for more out-of-conference contests.
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.	X			• Would provide more opportunities for student-athlete participation. • Coaches and the football team should not be punished for an injury occurring to another student-athlete, and should be able to replace that spot on the team.
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.	X			• If the workouts are truly voluntary, this legislation would support the safety of student-athletes during events that run the risk of danger. • These are fundamental and technical workouts, and it would be beneficial for student-athletes to have a coach there to provide safety feedback.

AWARDS, BENEFITS AND EXPENSES					
Proposal No. and Title	**Intent**	**Support**	**Oppose**	**Split**	**Comments**
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 Invitational Tournament, bowl game) with six complimentary admissions to all intercollegiate athletics events at the site at which the student (or team) participates.	X			• Would provide a well-earned benefit to student-athletes that reach the post-season. • Would provide opportunities for attendance to student-athletes that may have not otherwise been provided with tickets.
2008-43 AWARDS, BENEFITS AND EXPENSES -- HOUSING AND MEALS -- NUTRITIONAL SUPPLEMENTS -- FRUIT, NUTS AND BAGELS	To 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.	X			• Members noted that fruit juice and milk should be included in the list of nutritional supplements allowed to be provided. • Should be allowed to provide these items, as it would benefits the overall health and well-being of student-athletes.

ELIGIBILITY					
Proposal No. and Title	**Intent**	**Support**	**Oppose**	**Split**	**Comments**
2008-32-A 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.	X			• This would allow for greater flexibility for student-athletes that are in majors that require courses to be taken on-line. • Legislation would allow for the definition of a non-traditional course to “level the playing field” for student-athletes nationwide. • Would provide student-athletes with the same opportunities afforded to non student-athletes.

ELIGIBILITY					
Proposal No. and Title	**Intent**	**Support**	**Oppose**	**Split**	**Comments**
2008-32-B 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 up to 50 percent of the minimum full-time enrollment requirement for competition, provided the specific conditions are met.	**X**			• This would allow for greater flexibility for student-athletes that are in majors that require courses to be taken on-line. • Legislation would allow for the definition of a non-traditional course to "level the playing field" for student-athletes nationwide. • Would provide student-athletes with the same opportunities afforded to non student-athletes. • **The committee prefers 2008-32-B over 2008-32-A, but supports both proposals.**
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.	**X**			• This would provide a more equal playing field for volleyball student-athletes, in that prospective student-athletes would be unable to compete for many year s in organized competition before enrolling in an NCAA institution. • Committee believed that volleyball student-athletes should be covered under the same legislation as tennis, swimming and diving.

ELIGIBILITY					
Proposal No. and Title	**Intent**	**Support**	**Oppose**	**Split**	**Comments**
2008-35-A 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.				• Tabled for further discussions by SAAC representatives with their respective Conference SAACs.
2008-35-B 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 up to 50 percent of a student-athlete's credit hour and percentage-of-degree requirements, provided the specified conditions are met.				• Tabled for further discussions by SAAC representatives with their respective Conference SAACs.
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.				• Tabled for further discussions by SAAC representatives with their respective Conference SAACs.

ELIGIBILITY					
Proposal No. and Title	**Intent**	**Support**	**Oppose**	**Split**	**Comments**
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.	X			• The committee believed that it should not be easy for a student-athlete to transfer to another institution and compete during the same academic year, as it could encourage greater degrees of transferring and a “free agent” market. • Passage of the legislation would encourage a stronger team atmosphere and more careful consideration during the recruiting process.

RECRUITING					
Proposal No. and Title	**Intent**	**Support**	**Oppose**	**Split**	**Comments**
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 fulltime enrollment.	X			• This would allow the student-athletes to become acclimated to being a part of a team on campus, and ease their transition from high school to college. • Allows student-athletes to have better communication with their coaches and administrators once they reach campus, and are taking classes.
2008-15-A 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 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 with 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.	X			• This piece of legislation would benefit international student-athletes on the whole. • Would provide for an easier transition for student-athletes from high school to college. • If a student-athlete is attending orientation within 14 days of the first day of classes, it is clear that the student-athlete is very likely to officially enroll at that institution.

RECRUITING					
Proposal No. and Title	**Intent**	**Support**	**Oppose**	**Split**	**Comments**
2008-15-B 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 for a prospective student-athlete who is not eligible to sign an NLI (e.g., four-year college transfer), the institution's written offer of admission and/or financial aid] and has reported to an institutional orientation session with 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 orientation.	**X**			• This piece of legislation would benefit international student-athletes on the whole. • Would provide for an easier transition for student-athletes from high school to college. • If a student-athlete is attending orientation within 14 days of the first day of classes, it is clear that the student-athlete is very likely to officially enroll at that institution. • **The Committee supports 2008-15-B over 2008-15-A.**
2008-16 RECRUITING – CONTACTS AND EVALUATIONS – CONTACTABLE INDIVIDUALS – STUDENT-ATHLETE WITHDRAWN FROM FOUR-YEAR COLLEGE – EXCEPTION – OFFICIAL CHRUCH 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 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.				• Tabled for further discussions by SAAC representatives with their respective Conference SAACs.

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.				• Tabled for further discussions by SAAC representatives in order to gather more information on issues surrounding this proposal.
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.			X	• The Committee was split on this legislation, and each member of the committee will consult with their respective Conference SAAC, and will discuss again at January meeting.
2008-23 RECRUITING — RECRUITING MATERIALS — ELECTRONIC TRANSMISSIONS — AFTER NATIONAL LETTER OF INTENT SIGNING OR OTHER WRITTEN COMMITMENT	To specify that on or after May 1 of a prospective student-athlete's senior year in high school, there shall be no limit on the forms of electronically transmitted correspondence that may be sent by an institution to the prospective student-athlete provided the institution has received his or her room or tuition deposit in response to the institution's offer of admission.	X			• The student-athlete has shown a commitment to the institution, and should be able to have this direct contact with the coaching staff. • Would help student-athletes' ability to answer questions regarding the school that they will soon be attending.
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.	X			• Legislation would provide further opportunities for student-athlete's to train with their teammates. • The proposal would help ease the transition of a student-athlete from high school to college.

FINANCIAL AID					
Proposal No. and Title	**Intent**	**Support**	**Oppose**	**Split**	**Comments**
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.		X		• The committee did not see a need for more scholarship student-athletes in volleyball given that, in many cases, not that many student-athletes actually participate in matches. • The committee had a concern that the pool of quality of players was insufficient to justify adding an additional scholarship. • The committee would like to make special note that, while it does not support this particular legislative proposal, this decision is based on the specific circumstances of the sport of volleyball.
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.			X	• The Committee was split on this legislation, and each member of the committee will consult with their respective Conference SAAC, and will discuss again at the committee's January meeting.

	OVERRIDE				
Proposal No. and Title	**Intent**	**Support**	**Oppose**	**Split**	**Comments**
2007-30 C RECRUITING -- CONTACTS AND EVALUATIONS -- MEN'S BASKETBALL EVALUATIONS -- APRIL CONTACT PERIOD	To specify that evaluations of live athletics activities during the April contact period shall be limited to regularly scheduled high school, preparatory school and two-year college contests/tournaments and practices; and regular scholastic activities involving prospective student-athletes enrolled only at the institution at which the regular scholastic activities occur; further, to amend the April contact period to begin at noon on the first Thursday following the Men's Basketball Championship and continue through seven days following the initial date for the spring signing of the National Letter of Intent.			X	• The Committee was split on this legislation, and each member of the committee will consult with their respective Conference SAAC, and will discuss again at the committee's January meeting.

SUPPLEMENT NO. 10
DI Leadership Council 1/09

December 19, 2008

MEMORANDUM

TO: Board of Directors.

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

SUBJECT: Process to consider final task force report.

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

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

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

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

GS:vlm

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

ADDENDUM
SUPPLEMENT NO. 10
DI Leadership Council 1/09

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

Preamble.

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

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

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

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

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

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

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

Historic Perspective.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Task Force Charge.

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

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

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

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

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

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

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

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

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

Principles.

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

Commercial activities involving student-athlete names or likenesses.

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

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

   COMMENTS:

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

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

   COMMENTS:

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

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

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

   COMMENTS:

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

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

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

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

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

   COMMENTS:

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

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

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

   COMMENTS:

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

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

Commercial activities not involving student-athlete names or likenesses.

Recommended NCAA Best Practice.

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

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

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

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

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

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

Respectfully submitted to the Division I Board of Directors.

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A G E N D A

National Collegiate Athletic Association

Football Academic Working Group
Conference Call

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

December 17, 2008

1. Introductions and opening comments. (Joseph Castiglione)

2. Eligibility subcommittees' reports.

   a. Football Bowl Subdivision. (Rhonda Hatcher)

   b. Football Championship Subdivision. (Alan Hauser)

3. Retention subcommittees' reports.

   a. Football Bowl Subdivision. (Brad Bates)

   b. Football Championship Subdivision. (Joe Sterrett)

4. Finances subcommittees' reports.

   a. Football Bowl Subdivision. (Warde Manuel)

   b. Football Championship Subdivision. (Peter Fields)

5. Discussion of subcommittee reports.

6. Date and site of in-person meeting.

7. Other business.

NCAA/12/12/08/DLP:kg

REPORT OF THE NCAA COMMITTEE ON WOMEN'S ATHLETICS October 10-11, 2008, MEETING

ACTION ITEMS.

1. Legislative Items.

- None.

2. Nonlegislative Items.

- None.

INFORMATIONAL ITEMS.

1. New and Departing Committee Members. The committee welcomed to the committee Alexandra Morley, Division I Student-Athlete Advisory Committee and Erin Wojtkun, Division III Student-Athlete Advisory Committee. The committee thanked outgoing members, Donna Fields, St. Mary's University (Texas) and Hilary Hughes, Division II Student-Athlete Advisory Committee, for their service.

2. Emerging Sports.

a. **Rugby.** The committee received an update from representatives of USA Rugby who provided an overview of the progress of the sport and future plans for 2009-10 to grow the sport. The committee provided feedback relating to the desire to move rugby to a NCAA championship. USA Rugby announced a development plan "Ten by 2010" to add five more varsity programs at NCAA institutions. The effort includes up to $5,000 of start-up grants to participants in the program.

b. **Squash.** The committee's subcommittee assigned to finalize the Squash action plan for remaining on the emerging sports for women list and progressing toward championship status conducted two conference calls. The first included members of the Executive Board of the Collegiate Squash Association (CSA) in an effort to review the previously submitted proposal for the growth of the sport. CSA expressed commitment to remain on the emerging sports list, however no true timeline was provided by the organization for perceived measurable growth. The committee took action to request annual reporting from the CSA on their emerging program and stated

a deadline of 2014 to show demonstrated growth towards reaching 40 teams and sponsoring a NCAA championship. The committee was encouraged by the CSA's efforts and commitment from USA Squash of $50,000 in seed money to develop new varsity programs over the next three years.

3. **Woman of the Year.** An update regarding Woman of the Year was provided, including statistics related to the nominee demographics. 2008 marks the second year for online institutional submissions with a record of 438 nominees and 134 conferences nominations. Every institutional and conference honoree received an NCAA Woman of the Year award certificate. The committee voted to clarify that reclassifying institutions with nominees will be considered and evaluated in the division in which they were nominated by a conference or for independents the division in which they competed.

4. **NCAA Fellows Program.** The committee agreed to support the Minority and Opportunities Interest Committee position to reserve one opening in the program for an applying NCAA staff member.

5. **Division I Legislative Proposals.** The slate of proposals in all three divisions related to the committee's mission was reviewed. No formal positions were taken by the committee at this time.

6. **NCAA Research reports.**

   a. **Participation Data.** The committee received an update on the overall high school participation numbers for both boys and girls and how they are increasing. The committee also previewed the new NCAA Gender Equity Report, which showed that female participation remained steady or improved by only one percent since the last report. . The proportion of money spent on women's athletics showed decreases in all Division I subdivisions and Division II had no change. Only in Division III did the proportion of money spent on women's athletics increase. The proportion of recruiting expenditures devoted to women's sports decreased in all subdivisions of Division I. Women's recruiting dollars in Division II remained at 36 percent and from 34 to 35 percent in Division III.

   b. **Perceived Barriers to Women in Athletics Careers.** The committee was provided an opportunity to review and make suggestions for the final draft of

the Barriers study that includes student-athlete, administrator, coach and game official responses regarding why women choose or decline to participate or enter the field as a profession were shared. An Executive Summary will be added to the report to compare the findings of the 1989 study to 2008 before it is published. The committee expects this report to serve as a foundation for continued discussions about the recruitment and retention of women in intercollegiate careers.

c. **Campus Climate Surveys.** The committee was provided with a review of the preliminary student-athlete results of the five institutions selected to participate in the pilot study. The primary purpose of the pilot was to test the survey instrument in preparation for a wider administration. A pilot of the administrator's survey will be completed this fall, with the national student-athlete survey to take place no sooner than the spring of 2009.

7. **Championships update.** The committee received an update regarding the current status of NCAA championships and the four goals that will be used to direct the future of the group to include: a focus on the experience of the student-athlete in that all 88 championships will provide the same baselines and deliverables; greater staff efficiency with resources; effective management and leadership as it relates to the direction of sport committees; and a demonstrated value-added concept for all 88 championships. Six cities have been identified to participate as championship cities; a significant action has been taken to address the escalating transportation costs as well.

8. **Work-Life Balance update.** The final report of the Executive Committee working group was presented at the most recent Executive Committee meeting. The work-life balance resource toolkit for the membership will be made available on January 15 during the 2009 Convention, when two 90-minute, workshops will be held on individual and institutional evaluations of and action plans to address balance issues will be conducted. One session will serve as an informational session and the other will focus on action planning and steps to change department culture.

9. **Baseball and Softball Interpretations – Divisions II and III.** The committee received an update that all three divisions are moving in the direction of recognizing baseball and softball as separate sports, in response to a request from the Women's Sports Foundation through the committee. At this time, the request is now receiving formal consideration from the Divisions II and III interpretive committees and Division I Legislative Council.

10. **Student-Athlete Pregnancy Issues and Gender Equity Resources.** Committee members were provided with a draft of the handbook related to student-athletes who are pregnant or parenting, which includes medical and legal reviews, model policies for athletics departments, best practices for certified athletic trainers and case studies. The NCAA national office anticipates a mailing to all member institutions and conferences with the following gender equity resources: Pregnant and Parenting Student-athletes: Resources and Model Policies; Teaching Title IX resources; the revised NCAA Gender Equity Manual; sample Title IX brochures and a reminder about the NCAA Gender Equity and Issues Forum. All the resources will be available online as well.

11. **Gender Equity Planning.** The committee reviewed a draft of the gender equity sample plan for the gender equity portion of third-cycle Division I Certification. Feedback was provided for suggested additions to the document to further clarify and enhance the document. The committee also reviewed suggested changes for the Division II Institutional Self-Study Guide questions and requested materials related to gender equity.

12. **Title IX News.** The committee discussed the Office for Civil Rights September 17, 2008, athletics activities "Dear Colleague" letter; recent court and settlement action in Title IX legal cases; and the Women's Sports Foundation release of the second in-a-series report: "Who's Playing College Sports: Money, Race and Gender."

13. **Other Business.**

a. **NCAA Matching Grants for Minority and Women Coaches.** The committee received an update on the grants awarded for 2008. New groups were funded this year that had not previously received funds. Also it was noted that a greater effort was made to fund grants relative to enhancing and growing the officiating ranks.

b. **Women's Sports Foundation.** Chris Voelz, the Leadership Gifts Officer of the Women's Sports Foundation, provided a presentation to the committee on the organization's priorities and ways in which the Committee on Women's Athletics may partner with them regarding future endeavors.

c. **NCAA Internship Program.** The committee was provided with an update of the 2008-09 class and relative demographic statistics. The application for the 2009-10 class has been posted online with a December 5 deadline.

d. **CWA Orientation Packet.** The committee received a copy of the orientation packet prepared for incoming committee members developed as a resource tool describing the committee's charge, subcommittees, supported programs, strategic plan and data related to women in instercollegiate sports.

14. Upcoming Events and Relative Dates.

a. **Women of the Year Dinner.** October 19, Indianapolis, Indiana. ESPN2 broadcast on December 5, 2008.

b. **Division I Final Four Events.** April 6, 2009, St. Louis, Missouri. Preparations are being made to develop a "legacy program", a session focused on encouraging business-women to serve as mentors to at-risk girls from the local community.

c. **Women's Leadership Symposium.** Designed as an educational experience for professional women new to working in intercollegiate athletics administration and coaching and students aspiring to a career in college athletics, the new NCAA Women's Leadership Symposiums will begin with a regional event in Boston March 20-21, 2009 in conjunction with the NCAA Women's Frozen Four Ice Hockey Championship. The two-day program will focus on the following areas of skill development: Leadership Skills; Management Strategies; and Career Advancement. The mission of the program is to further the participants' skills, expand their professional network and promote the recruitment and retention of women in athletics administration and coaching.

d. **Gender Equity and Issues Forum.** April 27-29, 2009, San Diego, California.

e. **2009 Regional Rules.** May 13, 2009, Atlanta, Georgia and June 3, 2009, Anaheim, California. Two gender equity sessions will focus on Work-Life Balance and Equity in Athletics Disclosure Act and Title IX Coordinators.

15. Future Meeting Dates and Sites.

a. CWA teleconference on February 5, 2009, 1 to 3:30 p.m.

b. CWA Budget Subcommittee conference call, TBD.

c. CWA Strategic Planning Subcommittee conference call, TBD.

d. May, 18-19, 2009, Indianapolis, IN, CWA meeting.

e. September, 15-16, 2009, Indianapolis, IN, joint meeting with the Minority Opportunities and Interests Committee.

Committee Chair: Patrick Nero, America East Conference
Staff Liaison(s): Kimberly Ford, Diversity and Inclusion
Lynn Holzman, Membership Services
Karen Morrison, Gender Initiatives

NOVEMBER 2008 REPORT OF THE NCAA COMMITTEE ON SPORTSMANSHIP AND ETHICAL CONDUCT

INFORMATIONAL ITEMS.

Association-wide

1. **RESPECT sportsmanship initiative.** The committee approved a communication plan and finalized the creative materials for the campaign. The committee will launch the initiative at the 2009 NCAA Convention. There will be an Association-wide session on Wednesday, January 14 from 1:45–2:45 p.m. describing the initiative. For the campaign to be successful, member conferences and institutions should designate a senior official as the sportsmanship liaison charged with coordinating conference and institutional efforts.

   Next steps for the campaign:

   - The committee will launch an improved sportsmanship Web site providing campaign materials for conferences and institutions to access (April 2009).
     - Some materials can be downloaded (for inclusion in game programs or for Web site use) while other larger items can be purchased for dressing venues.
     - Additionally, the committee will make a public service announcement available for use on video boards.
     - Best practices for campus implementation will also be included on the Web site.
   - The committee will provide a presentation template for 2009 spring conference meetings summarizing the campaign and reviewing steps for campus implementation.
   - There will be an Association-wide session at the June NACDA Convention focused on campus implementation of the campaign. Senior institutional officials charged with campaign implementation (see above) are especially encouraged to attend.

2. **Citizenship Through Sports Alliance.** The NCAA continues to be a key sponsor of this alliance. The two overall NCAA sportsmanship award winners are recognized at the annual June awards dinner in St. Louis, Missouri.

3. **Techniques for Effective Alcohol Management (TEAM) Coalition best practices to address alcohol management.** The committee reviewed the Fan Code of Conduct program produced by the TEAM Coalition. The committee endorses the program and recommends it as a resource for membership use.

4. Sports Wagering.

a. Update on Fantasy League issues. The staff provided an update regarding how the legislation applies to fantasy leagues, and also provided an update on First Dibz.

b. Sports wagering study update. The staff provided an update to the Committee on the 2007 sports wagering study. Data is currently being analyzed and results are expected to be released during the first part of 2009.

5. Sportsmanship award update. The committee voted to eliminate the citizenship section from the award application. The award is intended to recognize demonstrative acts of sportsmanship typically occurring in the midst of competition. The committee recommends that conferences consider following the approach used by the Atlantic Coast Conference, which selects conference award winners using the same criteria as the NCAA award. The conference winners automatically become the nominees for the NCAA national award. Contact staff liaisons (see below) to the committee for further information.

6. Proposal to draft a policy for pregame music for athletics competition. The committee received notice of an issue involving offensive pregame music for athletics competition. The committee referred this issue to the NCAA championships staff to determine how to ensure consistency for championship events. Regarding regular season competition, the committee noted that a best practice used by some institutions is to require selected music and lyrics be provided to event giving staff for review prior to the event.

7. Committee Chair. John Blanchard, University of North Carolina, Chapel Hill, was selected as the new committee chair.

Committee Chair: Dan Mara, commissioner, Central Atlantic Collegiate Conference.
Staff Liaisons: Ty Halpin, championships, Rachel Newman, enforcement; and, Julie Roe, enforcement.

JANUARY 2009 UPDATE OF THE NCAA COMMITTEE ON SPORTSMANSHIP AND ETHICAL CONDUCT

RESPECT sportsmanship initiative. The committee will launch the initiative at the 2009 NCAA Convention. There will be an Association-wide session Wednesday, January 14, from 1:45 to 2:45 p.m. featuring presidents from each division describing the initiative and the need for presidential involvement. There will also be an informational booth for the membership to obtain materials and discuss implementation with committee and staff members. (See attachment for portions of the campaign message.) For the campaign to be successful, member conferences and institutions should designate a senior official as the sportsmanship liaison charged with coordinating conference and institutional efforts.

Next steps for the campaign:

- The committee will launch an improved sportsmanship Web site providing campaign materials for conferences and institutions to access (April 2009).
    - Some materials can be downloaded (for inclusion in game programs or for Web site use) while other larger items can be purchased for dressing venues.
    - Additionally, the committee will make a public service announcement available for use on video boards.
    - Best practices for campus implementation will also be included on the Web site.
- The committee will provide a presentation template for 2009 spring conference meetings summarizing the campaign and reviewing steps for campus implementation.
- There will be an Association-wide session at the June National Association of Collegiate Directors of Athletics Convention focused on campus implementation of the campaign. Senior institutional officials charged with campaign implementation (see above) are especially encouraged to attend.
- For the 2009 football season, the committee is partnering with the American Football Coaches Association for broad-based campus implementation of the initiative.

Attachment

I'M PRETTY SURE NONE OF YOU KNOW MY MOTHER.
Officials have a job to do, and taking verbal abuse from fans isn't part of that job. If your behavior wouldn't be allowed on the field, why should it be allowed in the stands? Be positive, because your team is counting on you.
RESPECT.
It's the name of the game.
NCAA
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NCAA Government Relations Report
(December 2008)

1. Congressional Overview.

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

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

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

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

2. Federal Issues.

a. Bowl Championship Series (BCS).

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

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

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

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

b. White Spaces.

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

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

c. Internet Gambling.

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

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

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

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

3. State Issues.

a. Delaware-Sports Wagering.

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

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

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

b. Higher Education Associations.

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

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.) (Baltimore 3-5)*			Joint Breakfast SAAC/LDC/LGC *(8 – 9:30 a.m.) (Baltimore 4-5)*		Joint SAAC/BOD Breakfast *(8 – 9:30 a.m) (Cherry Blossom BR)*
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/Legislative Forum *(9:30 – 11:30 a.m.) (Woodrow Wilson A-B)*		Board of Directors Meeting *(9:30 a.m. – 5 p.m.) (Woodrow Wilson B-C)*
10			LDC/CCA *(10 – 11:30 a.m.) (Potomac D)*					
10:30								
11				Assn-wide Programming *(11:15 – 12:15)*				
11:30			LGC/LDC/CCA Luncheon *(11:30 a.m. – 1 p.m.) (Baltimore 1-2)*			BOD/LDC/LGC Luncheon *(11:30 a.m. – 1 p.m.) (Baltimore 4-5)*		
Noon								BOD Luncheon *(12 - 1 p.m.) (Woodrow Wilson D)*
12:30								
1	Legislative Council (LGC) (1-7 p.m.)		Leadership Council (LDC) *(1 – 3:30 p.m.) (Woodrow Willson B-D)*			DI Legislative/Issues Forum *(1 – 3:30 p.m.) (Woodrow Wilson A-B)* 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.) (Potomac A-B)*			Communication and Coordination Committee Meeting/Reception *(4 – 6 p.m.) (Baltimore 4-5)*		
4:30								
5								
5:30								Executive Committee Meeting *(5:30 – 8 p.m.) (Woodrow Wilson A)*
6			Delegates Reception and Honors Celebration *(6 – 10 p.m.) (Newseum – Off-site)*					
6:30								
7								
7:30								
8								President's Reception (7:30 – 9 p.m.) *(Cherry Blossom)*
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.

12/17/08:vlm

SUPPLEMENT NO. 16
DI Leadership Council 1/09

MINUTES OF THE

NATIONAL COLLEGIATE ATHLETIC ASSOCIATION

DIVISION I LEADERSHIP COUNCIL

Gaylord National Resort and Convention Center
National Harbor, Maryland

January 15, 2009

Participants:

Jeffrey Altier, Stetson University, Atlantic Sun Conference
Dan Beebe, Big Twelve Conference (Alternate)
McKinley Boston, Jr., New Mexico State University, Western Athletic Conference
Peg Bradley-Doppes, University of Denver, Sun Belt Conference
Janet Cone, University of North Carolina, Asheville, Big South Conference
Chris Dawson, Pacific 10 Conference (Alternate)
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
Chet Gladchuk, U.S. Naval Academy, Patriot League
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
John Marinatto, Big East Conference
Charles McClelland, Texas Southern University, Southwestern Athletic Conference
Jim Miller, University of Richmond, Atlantic 10 Conference
Patrick Nero, America East Conference
Jeff Orleans, Ivy League
John Ritschdorff, Marist College, Metro Atlantic Athletic Conference
Dennis Thomas, Mid-Eastern Athletic Conference
John Watson, Pepperdine University, West Coast Conference
Brenda Weare, Northeast Conference
Charles Wellford, University of Maryland, College Park, Atlantic Coast Conference
Bobby Williams, Sam Houston State University, Southland Conference
Mark Wilson, Tennessee Technological University, Ohio Valley Conference
Tom Yeager, Colonial Athletic Association (Alternative)
S. David Berst, NCAA
Beth DeBauche, NCAA, recording secretary
Bernard Franklin, NCAA
Kevin Lennon, NCAA

[NOTE: Michael Alden, University of Missouri, Columbia, Big Twelve Conference and Lisa Love, Arizona State University, Pacific – 10 Conference were unable to participate.]

Also in attendance as invited guests were: Rich Ensor, Metro Atlantic Athletic Conference (chair of the former Management Council's Governance Subcommittee), Rob Halvaks, Big West Conference (chair of the Administration Cabinet) and Greg Sankey, Southeastern Conference (chair of the former Management Council Membership Subcommittee).

NCAA staff members, Erik Christianson, Elsa Cole, Joni Comstock, Michelle Hosick, Matt Maher, Steve Mallonee, Delise O'Meally, and Charlotte Westerhaus were also present during portions of the meeting.

[NOTE: Please refer to the report of the January 15, 2009, Division I Leadership Council meeting for the actions taken (formal votes or "sense of the meeting"), in accordance with the NCAA policy governing the minutes of all Association entities. While certain items on the Board's agenda were acted upon at various times throughout the meeting, all final actions within a given topic are combined in the report for convenience of reference. The information contained in this document includes only those items that are not contained in the report of the Leadership Council (Attachment No. 1).]

The meeting was called to order at 1:00 p.m. on January 15, 2009, by the chair, Damon Evans. All were present as noted above.

1. **Opening remarks.** Leadership Council chair, Damon Evans, welcomed the members to the meeting and acknowledged the alternates in attendance, Big Twelve Commissioner Dan Beebe, Colonial Athletic Association Commissioner Tom Yeager and Pacific 10 Associate Commissioner Chris Dawson.

2. **Visit with NCAA President**. With the NCAA president unable to attend the meeting, NCAA executive senior vice president Bernard Franklin made a few opening comments.

3. **Follow-up from joint the Leadership Council – Collegiate Commissioners Association meeting.**

[NOTE: Prior to the Leadership Council meeting, the Leadership Council met with the Collegiate Commissioners Association (CCA). Some of the items listed below were

discussed only during the joint Leadership Council/CCA meeting, while other items were discussed in both settings.]

a. Discussion regarding ways to enhance the level of cooperation between the CCA and the Leadership Council. Leadership Council chair Damon Evans led this conversation between the Council and the CCA. Damon was joined by CCA chair Rich Ensor in leading this conversation.

b. Status report and review of proposed timelines for membership consideration of the recommendations of the Men's Basketball Academic Enhancement Working and the Women's Basketball Issues Committee. In the joint meeting, David Berst presented the update regarding the work of the Men's Basketball Academic Enhancement Working and Beth DeBauche presented the report of the Women's Basketball Issues Committee.

c. Discussion regarding proposed championships travel initiatives and NCAA budget priorities. NCAA staff members Joni Comstock and Steve Brown led this review of recent changes in championships travel policies in the joint Leadership Council/CCA session.

d. Examination and discussion regarding potential Division I membership principles and standards. David Berst took the lead in the discussion of potential membership standards during both the joint Leadership Council/CCA meeting and during the Leadership Council meeting.

e. Confirmation of permissible uses of the Student-Athlete Opportunity Fund. During the joint meeting, Damon Evans introduced the discussion and during the Leadership Council meeting, David Berst led the Council through this review and consideration of permissible uses under the Student-Athlete Opportunity Fund.

3. **Discussion regarding ways to enhance the level of diversity in the Division I governance structure.** Staff liaison Beth DeBauche, along with NCAA vice president Charolette Westerhaus, led the Leadership Council through this discussion aimed at developing ideas for enhancing the level of diversity serving in the Division I governance structure.

4. **Discussion of legislative actions taken by the Legislative Council in advance of the January 17 Division I Board of Directors meeting**. Legislative Council chair, Joe D'Antonio, provided this update from the January 14 – 15, 2009, Legislative Council meeting.

5. **Report from the Communications and Coordination Committee and discussion with the Division I cabinet chairs**. Leadership Council staff liaison Beth DeBauche introduced the members of the Communications and Coordination Committee: Grace Calhoun, Awards, Benefits Expenses and Financial Aid Cabinet; Carolyn Callahan, Academic Cabinet; Joe D'Antonio, Legislative Cabinet; Rob Halvaks, Administration Cabinet; Petrina Long, Recruiting and Athletics Personnel Cabinet; Mike Rogers, Amateurism cabinet; Jeff Schemmel, Championships/Sports Management Cabinet; and Damon Evans, Leadership Council. The cabinet chairs then entered into a discussion with the Leadership Council where they shared their cabinets priorities with the Council members.

6. **Report from the Student-Athlete Advisory Committee**. Division I Student-Athlete Advisory Committee chair Kerry Kenny presented this report. Given that this was Kerry's last meeting as chair, the Leadership Council thanked him for his service.

7. **Status reports on other Division I initiatives.**

   a. Task Force on Commercial Activity in Intercollegiate Athletics. David Berst, primary staff liaison to the Task Force on Commercial Activity in Intercollegiate Athletics, provided the Council with a procedural update regarding receipt of the task force report and explained the Leadership Council's anticipated role in this process.

   b. Football Academic Working Group. David Berst provided a brief status report on the ongoing efforts of the Football Academic Working Group.

8. **Litigation update.** NCAA General Counsel Elsa Cole provided this update.

9. **Review of 2009 NCAA Convention schedule.** Beth DeBauche provided an overview of the remaining events for Leadership Council members under the 2009 NCAA Convention schedule.

10. **Adjournment**. The chair, Damon Evans, adjourned the meeting at 3:40 p.m.

# # # # #