Report Division I Leadership Council
May 6 and 11, 2009, Conference Calls

May 6, Call Participants:

Jeff Altier, Stetson University
Matt Baysinger, Division I Student-Athlete Advisory Committee
Janet Cone, University of North Carolina-Asheville
Tom Douple, Summit League
Peg Bradley-Doppes, University of Denver
Rich Ensor, Metro Atlantic Athletic Conference
Peter Fields, Montana State University, Bozeman
Chet Gladchuk, U.S. Naval Academy
Alan Hauser, Appalachian State University
R.C. Johnson, University of Memphis
Kathy Jones, Southern Illinois University at Carbondale
John Marinatto, Big East Conference
Charles McClelland, Texas Southern University
Jim Miller, University of Richmond
Jeff Orleans, Ivy League
John Ritscdorff, Marist College
Charles Wellford, University of Maryland
Bobby Williams, Sam Houston State University
David Berst, NCAA
Beth DeBauche, NCAA
Kevin Lennon, NCAA
Steve Mallonee, NCAA

May 11, Call Participants:

McKinley Boston, New Mexico State University
Rob Halvaks, Big West Conference
Paul Kowalczyk, Colorado State University
Jon LeCrone, Horizon League
Susan Lipnickey, Miami University (Ohio)
Lisa Love, Arizona State University
Patrick Nero, America East Conference
Greg Sankey, Southeast Conference
Brenda Weare, Northeast Conference
Mark Wilson, Tennessee Technological University
David Berst, NCAA
Beth DeBauche, NCAA
Kevin Lennon, NCAA
Steve Mallonee, NCAA

1. **Role of the Leadership Council.** The Leadership Council was informed that as a follow-up to its discussion at its last meeting regarding how best for the Council to serve its leadership advisory role, the Leadership Council chair asked the Board for its thoughts and direction. It was reported that the Board appeared to appreciate the Council's desire to maintain their national and global perspectives on issues as free from parochial political pressures and to understand that issues are different and may require different strategies, yet as a general matter the Board indicated it would appreciate receiving advice, counsel and recommendations from the Leadership Council after being fully developed and vetted by the substructure and membership. It was noted that based on this feedback, the Leadership Council's preliminary views regarding Division I membership standards would be shared with the Division I membership in advance of a report going to the Board of Directors.

2. **Ongoing discussion regarding the level of diversity in the Division I governance structure.** The Leadership Council was informed that the Board at its most recent meeting reconfirmed its charge to the Leadership Council to examine the level of diversity serving in the governance structure, including positional diversity. In reconfirming its charge, the Board noted the importance of ensuring the faculty voice is adequately heard throughout the structure and asked the Leadership Council to thoroughly examine the structure, provide an analysis as to where the faculty voice is most needed and where it might currently be missing. Additionally, the Leadership Council should provide recommendations designed to address the situation with supporting rationale.

   In response, individual Leadership Council members noted that issues of representation are complex and the former Governance Subcommittee spent a great deal of time with this issue. Members noted it is important that all voices be heard and voices of some groups should not be heard at the expense of others. Therefore, as the Leadership Council seeks to address this important and difficult issue, it must seek to find an appropriate sense of balance.

3. **It was noted that the next in-person meeting of the Leadership Council has been scheduled in Indianapolis on October 6, 2009. Sleeping rooms will be reserved for October 5 and the meeting will occur from 8 a.m. to 4 p.m. on October 6.** It is expected that appropriate governance and membership groups will provide comments regarding the proposed membership criteria in advance of this meeting for the consideration of the council.

   - **Proposed Division I Membership Criteria.** The Leadership Council reviewed the document entitled Proposed Division I Membership Criteria. Comments of members are included below along with the proposed membership criteria in the color red.

(Note: The preamble of the document, background information and assumptions are excluded from this report due to their length.)

Recommendations: The Council requests that appropriate governance structure groups and conferences be asked to provide feedback concerning these preliminary recommendations. The Leadership Council will consider all comments received and determine its final recommendations to the Board of Directors during its next in-person meeting in October.

(1) Potential new members of Division I should be required to enter the division through the five-year "reclassification" process described in Bylaw 20.5.1, but only after presenting a bona fide offer of membership in a Division I multisport, voting conference.

[Note: The sponsoring conference can provide appropriate guidance and counsel, assist with scheduling, monitor student-athlete well being and enhance accountability during the process. It should also be noted that the reclassification process applies only to moving from Division II to I and will need to be reformatted to provide for appropriate benchmarks in a five-year process. Communication with Division II is necessary to avoid unintended consequences for that division. Requiring conference sponsorship and prior membership in Division II is intended to promote the long-term stability of the Association.] (This "Note" regarding the role of a conference and the requirement to enter from Division II only should be part of the text of No. 1.)

It is important for conferences to discuss the potential relationship between conferences and its prospective member so that expectations are clear and to ensure the relationship is beneficial to not only the institution but to the overall membership process.

There should be a check list to assist conferences and transitioning institutions in ensuring that institutions are meeting their appropriate benchmarks. More thought should be given to the timing of when various benchmarks should occur.

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

If the conferences are appropriately assisting with the membership process does it matter where an institution comes from? Does requiring an institution to

come from Division II send the correct message and does it serve the intended purpose of ensuring institutions are appropriately preparing for Division I?

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

(3) A substantial Division I application fee should be required before entering the "reclassification" process, which should be commensurate with the estimated value of services and benefits made available through Division I membership.

This requirement must be data-driven.

It must be made clear what part of the fee off-sets administrative and educational expenses and what part equates to the value of benefits and Division I brand.

Should this payment be viewed as a cost or expense off-set rather than a fee? It should be emphasized that conferences may require separate fees.

[There is a limited amount of resources, benefits and good will associated with Division I membership. The Leadership Council discussed a $1,000,000 application fee, but concluded that a specific calculation and data were needed before arriving at the appropriate figure. In addition, it was noted that upon election to Division I membership, the application fee should be deposited in an NCAA student-athlete scholarship program or among Student Athlete Opportunity Funds and should not be returned to the institution or provided to the sponsoring conference. In the event the institution withdraws from the reclassification process, the application fee would be returned to the institution, less any expenditure for educational costs related to the membership process. It should also be noted that conferences may require separate fees for joining the conference.]

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

[This 75 percent minimum is an increase from the 50 percent now required for Division I institutions and the current membership shall be required to meet this minimum within a reasonable period following adoption of this legislation. Data should be reviewed regarding the actual level of grants now in place and the number or sports sponsored among Division I members. Bylaw 20.9.1.2.1 would be retained.] (The substance of this note should be moved to the regular text of the document.)

The Council wants to see data to have a better appreciation regarding what Division I members are currently providing in this area.

Given the importance of this issue it would be helpful to engage the conferences in a conversation regarding this topic to help ensure the percentage is appropriate. Also, would such minimums be appropriate in sports "designated" by the conference?

There needs to be a flexible approach available to institutions to ensure they can meet the standard reflective of the fact the membership includes both public and private schools.

What is the impact on revenue sharing?

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

[The Leadership Council also discussed requiring a four-year average APR of .925 or higher for each sponsored sport, but believes a demonstrated commitment to academics should be required.]

The Committee on Academic Performance and the Academic Cabinet should provide assistance in identifying the appropriate academic standard.

(6) NCAA certification should be required earlier in the "reclassification" period, possibly in year two.

[There should be an expectation that the sponsoring conference will assist the institution in this process and that special attention should be given to rules compliance, academic support services, recruiting, coaches, team travel and facilities. A compliance review should be required before final approval as a Division I member.]

The Committee on Athletics Certification should be involved in developing the recommended standards and timeline. Meeting standards early in the process and then demonstrating the ability to sustain such standards is important.

The review process must make it clear that this is an evolutionary process so that there is no confusion that receiving positive marks during the certification process does not necessarily equate to Division I membership.

More discussion should occur regarding the timing of the process and what elements should be included.

(7) A multisport conference must establish voting privileges in the Division I governance structure through legislation that names the conference among those set forth in applicable sections of Constitution 4 related to the structure and voting rations for member of the Board of Directors, Legislative and Leadership Councils and the five cabinets.

[Note: This is the current requirement in Division I. Current conferences should evaluate Constitution 3.3.3.2 regarding the formulation of Division I playing conferences.]

Items 7, 9 and 10 are related. It is important that the conferences are involved as part of this discussion and that they consider whether the definition of a multisport conference should be modified.

(8) Institutions participating in the current multi-divisional practice that permits a Division II or III institution to participate in one men's and one women's sport in Division I, except in football or men's or women's basketball should be permitted to continue that practice. Consider requiring standards for future entrants such as multisport conference affiliation, compliance reviews, defined financial aid requirements and application fees. No change is recommended for participation in national collegiate championships.

More information is needed regarding how this process currently works. Once more information is gathered, it would be appropriate to limit the practice.

In some sports access from a multi-divisional standpoint or from a single-sport conference may be appropriate, perhaps based off a percentage of sponsorship.

What is the impact of this item on FCS conferences?

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

(10) Division I conferences should evaluate current requirements for "core" and "continuity" for automatic qualification, which in turn will assist in determining whether those provisions remain valid if the membership requirements above are enacted.

Are "core" and "continuity" requirements needed if there is a meaningful definition of a multisport conference in the manual?

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

[Note: This is a change in that the sponsoring conference will determine whether, and the manner by which, new members share in the Sports Sponsorship, Grants-in-Aid and Basketball Fund distributions.]

(12) The Football Championship Subdivision Issues and governance committees should be asked to evaluate minimum criteria for designation in that subdivision, as well as opportunities for postseason competition for member conferences.

More work is needed regarding this issue. It should be referred to FCS conferences and to both the FCS Issues and Governance Committees for comment.

(13) The role of the Administration Cabinet should be reviewed related to management of the reclassification process while working in coordination with *sponsoring conferences.*

With the added coordination with conferences in providing guidance and assistance to potential new members, some administrative functions

performed now by the Administrative Cabinet could be transferred to the conference office.

(14) Constitution 3.2.3.1 should be amended to provide that the vote to approve an institution for Division I membership upon recommendation of the Administration cabinet shall be taken by the Board of Directors, rather than the Leadership Council.

This may be noncontroversial legislation.