A G E N D A

National Collegiate Athletic Association
Division I Leadership Council

Indianapolis Marriott Downtown — October 5, 2010
Indianapolis, Indiana — 8 a.m. to 3 p.m.

1. Welcome and introductions.

2. NCAA update.

3. Report of the March 23, 2010, Leadership Council meeting. [Supplement No. 1] [Anticipated Action Item]

4. Discussion of agents and their relationships with student-athletes and prospective student-athletes. [Supplement No. 2]

5. NCAA/Major League Baseball (MLB) discussions. [Supplement No. 3 to be distributed at meeting.]

6. Review of legislative items in the 2010-11 cycle of potential interest to the Leadership Council. [Supplement No. 4]

7. NCAA Convention Review.

8. Governance Update.

   [Note: These materials have been provided for informational purposes. Leadership Council members are asked to be aware of key agenda topics being considered by these governance groups. No formal presentation of this information is anticipated at the meeting but questions/concerns will be welcome.]

   a. Division I matters.

      (1) Report of the August 12, 2010, Board of Directors meeting. [Supplement No. 5]

      (2) Report from the Communications and Coordination Committee. [Supplement No. 6]

(3) Update from the Division I Student-Athlete Advisory Committee.

(4) Request from the Division I Administration Cabinet regarding the application of NCAA Bylaw 20.9.7.4-(a). [Supplement No. 7]

b. Association-wide matters.

(1) Report from the August 12, 2010, NCAA Executive Committee meeting. [Supplement No. 8]

(2) Report from Minority Opportunities and Interests Committee. [Supplement No. 9 to be posted prior to the meeting.]

(3) Report from Committee on Women's Athletics. [Supplement No. 10 to be posted prior to the meeting.]

8. News from the NCAA.

a. Litigation update. [Supplement No. 11 will be distributed at the meeting.]

b. Governmental relations report. [Supplement No. 12]

9. Other items of business.

10. Adjournment.

REPORT OF THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I LEADERSHIP COUNCIL MARCH 23, 2010, MEETING

1. ACTION ITEMS.

- **Division I Membership Standards**. The Leadership Council reviewed a final draft of recommendations for Division I membership standards.

  Recommendation: That the Board of Directors endorse the attached report of recommendations for Division I membership standards for review by Division I membership groups and conferences during the spring 2010 and that in August 2010, the Board sponsor necessary legislative proposals for implementation of the recommendations beginning in August 2011. (See Attachment)

2. INFORMATION ITEMS.

a. **Update on President's search**. Jim Isch, interim NCAA president, updated the group on the search for the next NCAA president and noted that the process appears to be on track to have the new president in place by the start of the 2010-11 academic year.

b. **Update on Media Contract**. Greg Shaheen, NCAA senior vice president of basketball and business strategies, discussed the status of the Association's media contract. Shaheen reviewed information related to past contracts and options as the Association moves forward. Shaheen informed the Council of discussions related to expansion of the NCAA Division I Men's Basketball Championship and the factors being considered as expansion is evaluated.

c. **Litigation Report.** Elsa Cole, NCAA general counsel, reported on the legal activity in which the Association is involved.

d. **Cost Savings Initiatives**. The Leadership Council reviewed a list of possible cost savings measures recommended by various Division I cabinets, as well as a number of financial recommendations discussed by the IA Athletics Directors Association. The Council noted that many of the recommendations appear to address "low-hanging fruit" and it may be wiser to take a more global approach when attempting to address spending in intercollegiate athletics. The Council recommended that staff collect additional data regarding actual spending areas and, with the possible help of consultants, develop a set of principles that could guide a review of spending. The Council suggested a two-pronged approach involving the evaluation of costs on campus as well as a review of the Association's spending related to the activities of the national office.

e. **Legislative items in the 2009-10 cycle of potential interest to the Leadership Council.** The Council received a report on the two legislative proposals (Proposal No. 2009-22 and Proposal No. 2009-51-B) that received the requisite number of requests for an override vote. The Council was informed of the status of the two proposals and the options for action by the Legislative Council during its April meeting.

f. **Report of the January 14, 2010, Leadership Council meeting**. The Council approved the report of its January 14, 2010, meeting. (Unanimous voice vote)

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

h. **Future Meetings**.

a. October 5, 2010, Indianapolis, Indiana.
b. January 15, 2011, San Antonio, Texas.

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

PROFESSIONAL LEAGUES DRAFT COMPARISON

	NBA	NFL	MLB	NHL	MLS	WNBA
Professional league eligibility requirements for draft.	Player must be at least 19 years old; and must be one year removed from high school graduation (if not an international player).	Player must be at least three years removed from high school.	High school players who have graduated high school and not yet attended college; and four-year college players who have either completed their junior or senior years or are at least 21 years old.	All players age 18 or older are eligible except: players on the reserve list of a club; players who have been claimed in two prior Entry Drafts; and players who have previously played in the NHL and became a free agent.	NCAA student-athletes who have exhausted their eligibility, unless that student-athlete has chosen to be a part of Generation Adidas.	An individual 22 years old; a graduate from a four-year university; or an individual who has attended a four-year university who either has no remaining intercollegiate eligibility or renounces her remaining intercollegiate eligibility by written notice to the WNBA at least 10 days prior to such draft.
Draft application deadline.	The fourth week of April.	January 15.	None.	None.	None.	None.
Draft withdrawal deadline.	The second week of June.	72 hours after early-entry deadline (midnight January 18).	Any drafted player with remaining collegiate eligibility that does not sign a contract with the MLB team that has drafted him prior to midnight (Eastern time) on August 15 will be placed back into the draft pool for the next year's draft.	None.	None.	None.

PROFESSIONAL LEAGUES DRAFT COMPARISON

	NBA	NFL	MLB	NHL	MLS	WNBA
NCAA draft rule.	One time exception - student-athlete must withdraw from draft by May 8 to remain eligible to compete in intercollegiate athletics.	One time exception - student-athlete must declare intention to resume intercollegiate participation within 72 hours of draft declaration date.	Not applicable.	Not applicable.	Not applicable.	One time exception - provided the student-athlete is not drafted, student-athlete must declare intention to resume intercollegiate participation within 30 days after the draft.
Approximate date of draft.	Around June 24.	Around April 22 to 24.	Around June 7 to 9.	Around June 25 to 26.	Around January 14.	Around April 8.
Approximate date of combine/ workouts.	NBA teams can conduct or attend workouts with early-entry players around April 29. NBA Draft Combine around May 19 to 23.	Around February 23 to March 1.	None.	Around May 24 to 29.	Around January 8 to 13.	None.
Is there an Advisory Committee?	Yes.	Yes.	No.	No.	No.	No.

In the sports of ice hockey and soccer, many student-athletes choose to enter into an international draft. In ice hockey specifically, many student-athletes enter into the Canadian draft.

Legislative Items in the 2010-11 Cycle of Potential Interest to the Leadership Council

Division I Membership Standards.

- **Proposal No. 2010-11**: Legislative Process -- Definitions and Applications -- Legislative Provisions -- Football Championship Subdivision Dominant Provisions.

  Intent: To establish a "Football Championship Subdivision Dominant" legislative provision category, which shall be defined as a regulation that applies only to the Football Championship Subdivision and requires a two-thirds majority vote for adoption or to be amended pursuant to the established legislative process. *[Board of Directors (Presidential Advisory Group)]*

- **Proposal No. 2010-100**: Division Membership -- Elimination of Provisional and Multidivisional Membership -- Reclassification Process and Multi-Sport Conference Requirements.

  Intent: To eliminate provisional and multidivisional membership, as specified, further to establish a four-year process for an institution that wishes to reclassify membership from Division II to Division I. *[Board of Directors (Leadership Council)]*

Governance Process.

- **Proposal No. 2010-12**: Legislative Process -- Amendment Process -- Membership Override of Legislative Changes -- Legislative Council or Board of Directors Review -- Override Voting.

  Intent: To eliminate the requirement that the override voting process on actions taken by the Legislative Council or the Board of Directors must occur at the annual Convention of the Association. *(Administration Cabinet)*

Limitations on Noncoaching Staff Members.

- **Proposal No. 2010-16**: Personnel -- Limitations on The Number and Duties of Coaches -- Noncoaching Staff With Sport-Specific Responsibilities -- Basketball -- Limit of One.

Intent: In basketball, to specify that there shall be a limit of one noncoaching staff member (one in men's basketball and one in women's basketball) whose responsibilities are specific to basketball and who works directly for the basketball program who may be employed (either on a salaried or a volunteer basis) by the institution; further, to specify that clerical staff and managers who work exclusively for the men's or women's basketball program are exempt from the application of this limitation. *(Recruiting and Athletics Personnel Issues Cabinet)*

- **Proposal No. 2010-17**: Personnel -- Limitations on the Number of Coaches -- Football Bowl Subdivision -- Four Graduate Assistant Coaches.

  Intent: In bowl subdivision football, to increase, from two to four, the limit on graduate assistant coaches. *(Big East Conference)*

- **Proposal No. 2010-18:** Personnel -- Limitations on the Number and Duties of Coaches -- Noncoaching Staff with Sport-Specific Responsibilities --Bowl Subdivision Football -- Limit of Four.

  Intent: In bowl subdivision football, to specify that there shall be a limit of four noncoaching staff members whose responsibilities are specific to bowl subdivision football and who work directly for the football program who may be employed (either on a salaried or a volunteer basis) by the institution; further, to specify that clerical staff and managers who work exclusively for the football program are exempt from the application of this limitation. *(Recruiting and Athletics Personnel Issues Cabinet)*

- **Proposal No. 2010-19**: Personnel -- Limitation on the Number and Duties of Coaches -- Football Bowl Subdivision -- Weight or Strength Coach -- Limit of Five.

  Intent: In bowl subdivision football, to specify that not more than five weight or strength coaches are permitted to work with a football program in any capacity, including all workouts (required or voluntary), practices and game-related activities. *(Big East Conference)*

- **Proposal No. 2010-20**: Personnel -- Limitations on the Number and Duties of Coaches -- Noncoaching Staff with Sport-Specific Responsibilities -- Championship Subdivision Football -- Limit of Two.

Intent: In championship subdivision football, to specify that there shall be a limit of two noncoaching staff members whose responsibilities are specific to championship subdivision football and who work directly for the football program who may be employed (either on a salaried or a volunteer basis) by the institution; further to specify that clerical staff and managers who work exclusively for the football program are exempt from the application of this limitation. *(Recruiting and Athletics Personnel Issues Cabinet)*

Amateurism/Commercialism.

- **Proposal No. 2010-9**: NCAA Membership -- Active or Conference Membership -- Conditions and Obligations of Membership -- Use of a Student-Athlete's Name or Likeness -- Contracts and Commercial Agreements -- Written Policies.

  Intent: To specify that institutions and conferences shall include language in all licensing, marketing, sponsorship, advertising, broadcast and other commercial agreements that outlines a commercial entity's obligation to comply with NCAA legislation, interpretations and policies on the use of a student-athlete's name or likeness; further, that each institution and conference shall maintain written policies for its licensing, marketing, sponsorship, advertising, broadcast and other commercial agreements, which shall be made available for examination upon request by an NCAA staff member or an authorized representative of the NCAA. *(Amateurism Cabinet)*

- **Proposal No. 2010-26**: Amateurism -- Promotional Activities -- Use of a Student-Athlete's Name or Likeness.

  Intent: To revise the regulations related to use of a student-athlete's name or likeness for promotions, advertisements and media activities, as specified. *(Amateurism Cabinet)*

Men's Basketball Academic Enhancement Group.

- **Proposal No. 2010-58**: Eligibility, Financial Aid and Playing and Practice Seasons -- Summer Academic Preparation and College Acclimatization -- Men's Basketball.

Intent: In men's basketball, to establish a summer academic preparation and college acclimatization model, as specified. *[Board of Directors (Men's Basketball Academic Enhancement Group)]*

Other Basketball-Related Proposals.

- **Proposal No. 2010-24**: Amateurism -- Involvement with Professional Teams -- Professional Basketball Draft -- Four-Year College Student-Athlete -- Men's Basketball.

  Intent: In men's basketball, to specify that the date by which a student-athlete must request that his name be removed from a professional league's draft list in order to retain his eligibility shall be the day before the first day of the spring National Letter of Intent signing period for the applicable year. *(Atlantic Coast Conference)*

- **Proposal No. 2010-34**: Recruiting -- Contacts and Evaluations -- Men's Basketball Evaluations -- Certified Nonscholastic Events During April Contact Period.

  Intent: In men's basketball, to specify that a coaching staff member may evaluate prospective student-athletes at certified nonscholastic events on Saturdays and Sundays during the April contact period. *(PAC-10 and Big East Conferences)*

- **Proposal No. 2010-42**: Recruiting -- Letter-of-Intent Programs, Financial Aid Agreements -- Requirements for Verbal Offer of Athletically Related Financial Aid.

  Intent: To specify that an institution shall not make a verbal offer of athletically related financial aid to an individual, directly or indirectly, before July 1 following his or her junior year in high school; further, to specify that an institution must have a high school transcript (official or unofficial) on file that includes the results of the individual's first five semesters or seven quarters of high school enrollment before extending a verbal offer of financial aid. *(Recruiting and Athletics Personnel Issues Cabinet)*

Football Academic Working Group.

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

  Intent: In football, to specify that a student-athlete who does not successfully complete nine-semester hours or eight-quarter hours of academic credit during the fall term and earn the Academic Progress Rate eligibility point for the fall term shall not be eligible to compete in the first four contests against outside competition in the following playing season; further, to specify that the student-athlete may regain eligibility to compete in the third and fourth contests of that season, provided he or she successfully completes at least 27-semester hours or 40-quarter hours of academic credit before the beginning of the next fall term. *[Board of Directors (Football Academic Working Group)]*

Financial Aid.

- **Proposal No. 2010-62**: Financial Aid -- Definitions and Applications -- Exempted Institutional Financial Aid -- Federal Need-Based Financial Aid.

  Intent: To specify that federal government grants awarded based on a student's demonstrated financial need are considered exempted institutional financial aid and are not counted in determining the institution's financial aid limitations, regardless of whether the institution is responsible for selecting the recipient or determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient. *(Awards, Benefits, Expenses and Financial Aid Cabinet)*

- **Proposal No. 2010-63**: Financial Aid -- Definitions and Applications -- Exempted Institutional Financial Aid -- State Need-Based Financial Aid.

  Intent: To specify that state government grants awarded based on a student's demonstrated financial need, regardless of whether the institution is responsible for selecting the recipient or determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient is not included in determining the institution's financial aid limitations, provided the aid is administered in accordance with the federal methodology for determining a student's financial need and has no relationship to athletics ability; however,

such aid is not exempt in determining a student-athlete's counter status for purposes of applying the football, basketball, varsity competition legislation. *(Awards, Benefits, Expenses and Financial Aid Cabinet)*

- **Proposal No. 2010-64**: Financial Aid -- Definitions and Applications -- Exempted Institutional Financial Aid -- State Merit-Based Financial Aid.

  Intent: To specify that the state government merit-based grants are considered exempted institutional financial aid and are not counted in determining the institution's financial aid limitations, regardless of whether the institution is responsible for selecting the recipient or determining the amount of aid, or providing matching or supplementary funds for a previously determined recipient, provided the aid is awarded consistent with the criteria of the legislative requirements of an academic honor award or institutional academic scholarship and has no relationship to athletics ability; however, such aid is not exempt in determining a student-athlete's counter status for purposes of applying the football or basketball, varsity competition legislation. *(Awards, Benefits, Expenses and Financial Aid Cabinet)*

- **Proposal No. 2010-68**: Financial Aid – Elements of Financial Aid – Financial Aid from Outside Sources – Unrelated to Athletics Ability – Established Family Friend.

  Intent: To specify that a student-athlete may receive financial aid from an established family friend, provided specified conditions are met. *(Ivy Group)*

- **Proposal No. 2010-69**: Financial Aid – Financial Aid from Outside Sources – Financial Aid from an Established and Continuing Program.

  Intent: To specify that a student-athlete may receive financial aid through an established and continuing program to aid students, provided: (a) the recipient's choice of institutions is not restricted by the donor of the aid; (b) there is no direct connection between the donor and the student-athlete's institution, and (c) if the total value of the aid received by the student-athlete exceeds ten percent of the value of the institution's full grant-in-aid, documentation of the aid received by the student-athlete must be kept on file with the institution's conference office. *(Awards, Benefits, Expenses and Financial Aid Cabinet)*

- **Proposal No. 2010-72**: Financial Aid -- Terms and Conditions of Awarding Institutional Financial Aid -- Reduction or Cancellation Permitted -- Release of Obligation to Provide Athletically Related Financial Aid.

  Intent: To specify that before becoming a counter for an academic year, if a prospective student-athlete or student-athlete is awarded institutional financial aid unrelated to athletics that is of equal or greater value than his or her signed award of athletically related financial aid, the prospective student-athlete or student-athlete may, on his or her initiative, release the institution of its obligation to provide the athletically related financial aid. *(Awards, Benefits, Expenses and Financial Aid Cabinet)*

Cost Savings.

- **Proposal No. 2010-40**: Recruiting -- Official (Paid) Visit -- Limitations on Official Visits -- No Visit After National Letter of Intent or Other Written Commitment.

  Intent: To specify that after signing a National Letter of Intent, a prospective student-athlete shall not make an official visit to the institution with which he or she has signed; further, to specify that for an institution not using the National Letter of Intent in a particular sport, or for a prospective student-athlete who is not eligible to sign a National Letter of Intent (e.g., four-year college transfer), the prospective student-athlete shall not make an official visit to the institution after he or she has signed the institution's written offer of admission and/or financial aid. *(Recruiting and Athletics Personnel Issues Cabinet)*

- **Proposal No. 2010-81**: Awards, Benefits and Expenses -- Permissible Expenses Provided by the Institution for Competition -- Travel Squad Limits.

  Intent: To establish travel squad limits for regular season, away-from-home competition, including exhibitions/scrimmages, nonchampionship segment competition and conference championships and neutral site competitions, as specified. *(Big Ten Conference)*

- **Proposal No. 2010-83**: Awards, Benefits and Expenses -- Expenses Provided by the Institution for Practice and Competition -- Nonpermissible -- Lodging in Conjunction with a Regular-Season Home Contest -- Championship Subdivision Football.

Intent: In championship subdivision football, to specify that an institution shall not provide lodging (e.g., hotel, motel) to any student-athlete in conjunction with a regular-season home contest. *(Championships/Sports Management Cabinet)*

- **Proposal No. 2010-96**: Playing and Practice Seasons -- Women's Volleyball -- Preseason Practice -- 21 Units.

  Intent: In women's volleyball, to reduce, from 29 to 21, the number of units used to determine the start of preseason practice. *(Big Ten Conference)*

- **Proposal No. 2010-99**: Playing and Practice Seasons -- Foreign Tours and Competition -- No Institutional or Conference Foreign Tours.

  Intent: To specify that an institution or conference shall not sponsor or participate in a foreign tour; further, to specify that competition in a U.S. territory shall be restricted to once every four years on one trip during the prescribed playing season. *(Big Ten Conference)*

NCAA DIVISION I BOARD OF DIRECTORS
AUGUST 12, 2010, MEETING ATTENDANCE

Board members in attendance:
Stanley Albrecht, Utah State University, Western Athletic Conference
Guy Bailey, Texas Tech University, Big 12 Conference
Charles Bantz, Indiana University-Purdue University of Indianapolis, Summit League
William Beauchamp, University of Portland, West Coast Conference
Greg Dell'Omo, Robert Morris University, Northeast Conference
Nathan Hatch, Wake Forest University, Atlantic Coast Conference
Sidney McPhee, Middle Tennessee State University, Sun Belt Conference
William Meehan, Jacksonville State University, Ohio Valley Conference
Ann Millner, Weber State University, Big Sky Conference
John Peters, Northern Illinois University, Mid-American Conference
Edward Ray, Oregon State University, Pacific-10 Conference, acting chair
David Schmidly, University of New Mexico, Mountain West Conference
Lou Anna Simon, Michigan State University, Big Ten Conference
Lee Todd, University of Kentucky, Southeastern Conference
Steadman Upham, University of Tulsa, Conference USA

Board members not in attendance:
Judy Genshaft, University of South Florida, Big East Conference
William R. Harvey, Hampton University, Mid-Eastern Athletic Conference
Kevin Mullen, Siena College, Metro Atlantic Athletic Conference

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

Guests from other Division I governance bodies:
Shane Lyons, Atlantic Coast Conference, chair of the Division I Legislative Council

Other Guests:
Jim Haney, National Association of Basketball Coaches
Brit Kirwan, Knight Commission
Amy Perko, Knight Commission
Gerald Turner, Knight Commission

Other NCAA staff members in attendance: Erik Christianson, Elsa Cole, Joni Comstock, Mark Emmert, Bernard Franklin, Lynn Holzman, Michelle Hosick, Jim Isch, Kevin Lennon, Steve Mallonee, Keith Martin, Delise O'Meally, Tom Paskus, Todd Petr, Bill Regan, Wallace Renfro, Greg Shaheen, Robert Vowels, Wendy Walters, Charlotte Westerhaus, Bob Williams and Brandon Wright.

The National Collegiate Athletic Association
August13, 2010 SDB/JGC:vlm

REPORT OF THE AUGUST 12, 2010, MEETING OF THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I BOARD OF DIRECTORS.

1. **Report of the April 29, 2010, Board of Directors meeting. The Board approved the report of its April 29, 2010, meeting.** (Unanimous Voice Vote.) [Reference Supplement No. 1.]

2. **Report of the Division I Presidential Advisory Group**. The Board received a report from Ann Millner, chair of the Division I Presidential Advisory Group (PAG), regarding the group's August 9, 2010, conference call. The Board was informed of PAG's view regarding various Board agenda items as they were considered by the Board, including actions by the Football Championship Subdivision (FCS) members of PAG to sponsor legislation regarding membership requirements for the FCS. [Reference BOD Supplement No. 2.]

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

   a. **Head Coaches Academic Performance Rate (APR) Portfolio**. Isch noted the recent release of the single-year APR scores for Division I head coaches in six sports, including football and basketball. It was noted that the database was designed to create more transparency in the Academic Performance Program and strengthen the accountability of coaches for the academic performance of their student-athletes.

   b. **Agents**. Isch noted recent news stories about agents and their involvement with student-athletes and prospective student-athletes. The Board was informed that appropriate discussions concerning relationships involving student-athletes and agents have already begun in the NCAA structure. It is expected that the agent issue will be reviewed by various governance bodies, along with feedback from the membership, before the Board would be expected to act.

   c. **Values-Based Decision Making**. Wally Renfro, vice president and senior advisor to the president, described the work of the Values-Based Decision Making Group and a draft of a white paper that attempts to examine values as a balance point between self-interest and self-denial in decision making. The Board was asked to provide feedback that can be used by the Values-Based Decision Making Group as it continues this project.

   d. **Athletics Finances**. Todd Petr, NCAA managing director of research, presented the Board with revenue and expense data related to six-year trends in Division I athletics finances, with a focus on the Football Bowl Subdivision (FBS). The group discussed the trends evidenced by the data and noted some of the differences across the

subdivisions. A request was made for the research staff to incorporate non-FBS data into the FBS quartile data that was presented in order to compare similarities and differences.

4. **Knight Commission Report**. The Board heard a presentation from Brit Kirwan and Gerald Turner, co-chairs of the Knight Commission, regarding its 2010 report "Restoring the Balance" in intercollegiate athletics. The Board and the co-chairs engaged in considerable discussion about the commission's recommendations and a process to continue communication of the commission's recommendations and follow up in the NCAA governance structure.

5. **National Association of Basketball Coaches Report (NABC).** Jim Haney, executive director of the NABC, informed the Board of the NABC's views on ways to improve men's basketball APR and graduation rates, as well as challenges faced by men's basketball in this area. The Board received a copy of the NABC Communications Strategy for Coaches, which is a document that includes suggested best practices for coaches to enhance communications at the campus, conference and national level. The Board endorsed the plan and agreed to encourage Division I institutions to consider and implement some of these strategies.

6. **Legislative Issues**. The Board reviewed the following legislative recommendations:

   a. **Football Academic Working Group**. The Board reviewed the working group's recommendation that it sponsor legislation that would require football student-athletes who do not successfully complete nine semester or eight quarter credit hours or earn the fall semester or quarter APR eligibility point to be ineligible for participation in the first four games of the following football season. However, if the student-athlete has successfully completed 27 credit hours or 40 quarter hours prior to the beginning of the following fall term, he would be ineligible for only two games.

   b. **Men's Basketball Academic Enhancement Group**. The Board considered a recommendation that it sponsor legislation that would establish a summer academic preparation and college acclimatization model for designated men's basketball student-athletes.

   c. **Division I Membership Standards**. The Board considered a recommendation that it sponsor legislation to implement new Division I membership standards.

BOARD ACTION: The Board agreed to sponsor the recommended legislation in Item Nos. 6-a through 6-c above in the 2010-11 legislative cycle. (Unanimous voice vote.) [Reference BOD Supplement Nos. 5, 6 and 7.]

d. **Concussion Management.** The Board was asked to use its authority to adopt emergency legislation that would require Division I institutions to have a concussion management plan on file, as specified in the proposal.

BOARD ACTION: The Board used its authority to adopt emergency legislation as requested above. (Unanimous voice vote.) [Reference Proposal No. 2010-4.]

e. **Basketball Focus Group.** The Board was asked to use its authority to adopt emergency legislation that would specify the eligibility consequences and notice requirements for violations in the men's basketball enforcement initiative involving camp employment, camp operation and men's basketball staff involvement in the operation of nonscholastic events. It was noted that the Board adopted the concept during its October 2009 meeting; however, this action was necessary to include these provisions in the NCAA Manual.

BOARD ACTION: The Board agreed to adopt emergency legislation that would specify the eligibility consequences and notice requirements for the violations specified above. (Unanimous voice vote.) [Reference Proposal No. 2010-5.]

7. **Update on Legislative Council's Consideration of Board of Director's April Resolution.** Shane Lyons, associate commissioner at the Atlantic Coast Conference and chair of the Division I Legislative Council, reviewed a discussion document submitted in response to the Board's April Resolution requesting that the Legislative Council develop a draft of a policy statement that would provide better guidance regarding consideration of proposed NCAA legislation. The discussion document provided information to assist the Board in its understanding of the dynamics of the current legislative cycle and identified several concepts relating to the legislative process that will be discussed further by the Legislative Council during its October meeting. It was noted that the Board will receive an update from the council during the Board's October meeting.

8. **Committee on Academic Performance**. The Board received a report of the June 28-30, 2010, meeting of the Committee on Academic Performance (CAP). The Board asked that during its October meeting the CAP report on its examination of the Academic Performance Rate (APR) calculation and whether a score of 925 remains the appropriate benchmark.

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

10. **Division I Committee on Infractions.** The Board reviewed a recommendation from the Committee on Infractions to revise NCAA Bylaw 32.7.1 to remove the prohibition that the summary disposition process shall not be used to adjudicate a case involving a repeat violator.

    BOARD ACTION: The Board approved the recommended revision to Bylaw 32.7.1. (Unanimous voice vote.) [Reference PP-2010-1.]

11. **Election of New Chair.** The Board voted to select Judy Genschaft, president of the University of South Florida, to serve as the new chair of the Board of Directors. (Unanimous voice vote.)

12. **Future meeting Dates**.

    a. October 28, 2010, The Westin Indianapolis, Indianapolis, Indiana.

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

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

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

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

Board of Directors chair: Edward Ray, Oregon State University, acting chair for this meeting
Staff Liaisons: S. David Berst, Division I governance
Jacqueline Campbell, Division I governance

REPORT OF THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I COMMUNICATIONS AND COORDINATION COMMITTEE AUGUST 26, 2010, CONFERENCE CALL

Participants: August 26, 2010

Sarah Bobert, Marquette University – (Awards, Benefits, Expenses and Financial Aid Cabinet)
Carolyn Callahan, University of Virginia – (Academic Cabinet)
Nick Fulton, Big Ten Conference, (Division I Student-Advisory Committee)
Rob Halvaks, Big West Conference – (Administration Cabinet)
Petrina Long, University of California, Los Angeles – (Recruiting and Athletics Personnel Issues Cabinet)
Shane Lyons, Atlantic Coast Conference – (Legislative Council)
Jane Miller, University of Virginia – (Championships/Sports Management Cabinet- vice chair)
Jacqueline Campbell, NCAA – recording secretary

Mike Rogers, Baylor University – (Amateurism Cabinet) and Judy Rose, University of North Carolina, Charlotte -- (Championships/Sports Management Cabinet) were unable to participate on the call.

NCAA staff: David Berst, Angela Cretors, Jennifer Daniels, Diane Dickman, Lynn Holzman, Steve Mallonee, Binh Nguyen, Kris Richardson, Maricela Shukie, Alex Smith, Jennifer Strawley, Sharon Tufano and Brandon Wright also participated on the call.

The conference call was called to order at 3:04 p.m. by Jacqueline Campbell. All were present as noted above.

1. **Comments Regarding Cabinets' Key Items.** The cabinet chairs briefly shared the following June meeting highlights:

   a. Academic Cabinet. The cabinet met jointly with the Division I Committee on Academic Performance and continued its discussion of initial-eligibility and two-year college transfer requirements. The cabinet also discussed non-traditional coursework and agreed to sponsor two proposals that would simplify the legislation regarding the use of nontraditional coursework to meet full-time enrollment and progress-toward-degree requirements. In September, the cabinet plans to continue its discussion and evaluation of enhanced eligibility models.

   b. Administration Cabinet. During its June meeting, the cabinet agreed to sponsor Proposal No. 2010-11, which would remove the requirement that override votes take place at the annual NCAA Convention. The cabinet also conducted its annual review

of institutions in the Division I provisional/reclassification process, advancing two institutions to active membership and several others to the next year of the process. The cabinet reviewed regional alignments of 10-member/eight-region sport committees and recommended that the Championships/Sports Management Cabinet consider sponsoring legislation that would reduce the number of regions for these committees, which would offer broader representation opportunities. During the September meeting, the cabinet will consider several committee appointments and discuss its role in the new reclassification process included should Proposal No. 2010-100 be adopted to implement new Division I membership standards.

c. Amateurism Cabinet. The cabinet agreed to sponsor legislation in the 2010-11 legislative cycle that would modify the current regulations related to the use of a student-athlete's name, picture or likeness in promotional activities. The cabinet also agreed to sponsor non-controversial legislation to allow student-athletes prior to collegiate enrollment to receive performance-based awards while participating on outside amateur teams, provided the value of the awards do not exceed actual and necessary expenses. The cabinet began a discussion regarding agents and advisors, and their relationships with prospective and current student-athletes, as well as the pre- and post-draft structures in various sports. During its September meeting, the cabinet plans to continue its discussion of agents/advisors, as well as embarking on the topic of earmarked funds received by prospective student-athletes through fundraising activities.

d. Awards, Benefits, Expenses and Financial Aid Cabinet. The cabinet agreed to sponsor ten proposals in the 2010-11 legislative cycle that would provide student-athletes with an opportunity to receive additional sources of financial aid without impacting team limits. The cabinet also reaffirmed its support for the current regulation that requires financial aid awarded based on athletics ability not to exceed a one-year period. Looking forward to the September meeting, the cabinet will review departure/return expense legislation, participation awards limitations and Bylaw 16 waivers.

e. Championships/Sports Management Cabinet. During its June meeting, the cabinet continued its Bylaws 17 and 31 review and the impact of possible cost-containment measures. The cabinet agreed to sponsor two proposals that would prohibit missed class time for competition during the non-championship segment for certain sports and lodging in conjunction with home competition for the Football Championship Subdivision (FCS). In September, the cabinet will review legislative proposals for which its feedback has been requested, as well as conduct its regular review of recommendations from the various sports committees.

f. Recruiting/Athletics Personnel Cabinet. The cabinet reviewed feedback from the membership regarding the various proposed recruiting models. The cabinet agreed to sponsor proposals in the 2010-11 legislative cycle that would: 1) prohibit official

visits for prospective student-athletes that have signed a National Letter of Intent; 2) limit the number of noncoaching staff members in the sports of men's and women's basketball and football, and 3) prohibit a verbal offer of athletics financial aid prior to July 1 following the prospect's junior year in high school, with an additional requirement that the institution must receive a five-semester transcript prior to making the verbal offer. In September, the cabinet will continue its discussion of the various recruiting models, review legislative proposals for which its feedback has been requested and explore the development of recruiting calendars for all sports.

2. Brief Updates from Board of Directors and Legislative/Leadership Councils.

a. Board of Directors. The Board of Directors met twice since this committee's last call. The April meeting immediately followed the signing of the new media contract as well as the hiring of the new NCAA president. The Board approved expansion of the NCAA Division I Men's Basketball Championship field from 65 to 68 teams. In August, the Board agreed to sponsor legislation that would: 1) establish a fall academic term requirement for competition for football student-athletes; 2) establish a summer academic preparation and college acclimatization model for designated men's basketball student-athletes; and 3) implement new Division I membership requirements. The Board also adopted emergency legislation requiring Division I institutions to maintain a concussion management plan. Lastly, the Board selected Judy Genshaft, president of the University of South Florida, as its new chair.

b. Leadership Council. During its April meeting, the Leadership Council finalized its recommendation for new Division I membership standards and recommended that the Board of Directors sponsor legislation to implement those standards. In October, the Council will spend considerable time discussing agents and their relationships with student-athletes, as well as a possible collaboration between the NCAA and Major League Baseball. The Council also will discuss a referral from the Administration Cabinet regarding the application of a Football Bowl Subdivision requirement that requires institutions to award at least 90 percent of the maximum permissible overall financial aid grants over a rolling two-year period.

c. Legislative Council. During its April meeting, the Council reviewed Proposal Nos. 2009-22 and 2009-51-B, which both received the requisite number of override vote requests. The Council modified its previous action and delayed the effective date of Proposal No. 2009-22 and revised Proposal No. 2009-51-B to apply only to the sport of basketball. The Council modifications were accepted by the membership and, therefore, there will be no Division I business session at the 2011 NCAA Convention for the purpose of voting on Division I legislation. During its October meeting, the Council will review approximately 100 legislative proposals and will consider the Board of Directors' April Resolution that the Council develop a policy statement that

would provide better guidance regarding consideration of proposed NCAA legislation.

3. **Student-Athlete Advisory Committee Update.** The chair of the Division I Student-Athlete Advisory Committee (SAAC) updated the committee regarding the Division I SAAC's work over the past several months. The Division I SAAC has spent considerable time discussing commercialism and the use of a student-athlete's name, picture or likeness in promotional activities. In November, the committee will conduct its annual review of proposed legislation and determine those proposals for which it would like to establish and communicate a position.

4. **Update on the Division I Governance Collaboration Zone.** The committee received a brief demonstration of the Division I Governance Collaboration Zone. The committee was asked for feedback regarding use of the collaboration zone and what features would assist cabinet/council members in their governance work.

5. **2011 NCAA Convention.** The committee was informed that there will be no Division I business session at the 2011 Convention. The staff requested feedback on ways to increase the division's attendance at the Convention.

6. **Proposed Future Call Dates.** The staff noted that the next expected call date would be in early to mid-November following the fall governance meetings. The committee will be sent a calendar in September to indicate availability for the November call.

7. **Adjournment.** The call was adjourned at 4:03 p.m.

P.O. Box 6222
Indianapolis, Indiana 46206
Telephone: 317/917-6222

Shipping/Overnight Address:
1802 Alonzo Watford Sr. Drive
Indianapolis, Indiana 46202

www.ncaa.org

July 27, 2010

[redacted]

Dear President [redacted]

This is a follow-up to my April 6 letter regarding Football Bowl Subdivision (FBS) membership requirements set forth in NCAA Bylaw 20.9.7.

During its June 30 meeting, the NCAA Division I Administration Cabinet reviewed the provisions of Bylaw 20.9.7.4-[a], which require that an FBS institution provide an average of at least 90 percent of the permissible maximum number of overall football grants-in-aid per year over a rolling two-year period. As I noted in my previous letter, the former NCAA Division I Management Council Membership Subcommittee, after consultation with the NCAA Division I Committee on Academic Performance, determined that the 90 percent requirement is based on the 85 permissible maximum number of overall football grants-in-aid that generally may be awarded and not based on the overall football grants-in-aid that an FBS institution may be limited to awarding as a result of penalties imposed by the Committee on Academic Performance as part of the NCAA Division I Academic Performance Program.

The Administration Cabinet engaged in a very thorough discussion of the issue and requested that the NCAA Division I Leadership Council provide feedback related to the intent of the requirement. I think it is accurate to say that many were concerned that the current standard may be a bit too punitive and consideration should be given to modifying the standard. Once the cabinet receives the feedback from the Leadership Council, it will further review the matter and determine if it wishes to modify the current standard. Should the cabinet determine that the 90 percent requirement should be based on the number of scholarships that the institution may be limited to awarding as a result of penalties imposed by an NCAA governance entity (e.g., Committee on Academic Performance), [redacted] will be deemed to have satisfied the FBS requirements for the 2009-10 academic year. If that in fact happens, I will provide the institution a letter rescinding the notice of noncompliance.

The Leadership Council's next meeting is not until October 5, so the Administration Cabinet will not further review the matter until its February 2011 meeting. In the meantime, I urge you to continue to meet all the applicable FBS requirements set forth in Bylaw 20.9.7.

I hope this information is helpful. Please feel free to contact me if you have any questions.

Sincerely,

Stephen A. Mallonee
Managing Director of Academic and Membership Affairs/
Division I Governance Liaison

SAM:lmg

cc: [redacted]
Mr. Rob Halvaks
Selected NCAA Staff Members

SUPPLEMENT NO. 8
DI Leadership Council 10/10

MINUTES OF THE
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
EXECUTIVE COMMITTEE

Westin Indianapolis
Indianapolis, Indiana

August 12, 2010

Participants:

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

Judy Genshaft, University of South Florida; William Harvey, Hampton University; and Kevin Mullen, Siena College, were not able to participate.

Also in attendance were: Gary Brown, director of NCAA News; Elsa Cole, vice president of legal affairs/general counsel; Joni Comstock, senior vice president of championships/senior woman administrator; Dennis Cryder, senior vice president of branding and communications; Tom Jernstedt, executive vice president; Kevin Lennon, vice president of academic and membership affairs; Keith Martin, interim vice president of administration/chief financial officer; Wallace Renfro, vice president and senior advisor to the NCAA president; Greg Shaheen, senior vice president of basketball and business strategies; Robert Vowels, vice president of educational affairs; Wendy Walters, director of academic and membership affairs; Charlotte Westerhaus, vice president of diversity and inclusion; Bob Williams, managing director of public and media relations; David Berst, Daniel Dutcher and Mike Racy, NCAA governance vice presidents; and Jackie Campbell, Leah Kareti and Terri Steeb, NCAA governance directors.

[Note: These minutes contain only actions taken (formal votes or stated "sense of the meeting") in accordance with NCAA policy regarding minutes of all Association entities. While certain items on the Committee's agenda were acted on at various times throughout the meeting, all final actions within a given topic are combined in these minutes for convenience of reference.]

The meeting was called to order at 2 p.m. by the chair, President Ray. All members were present as noted above.

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

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

   It was VOTED

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

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

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

5. NCAA Executive Committee Finance Committee report.

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

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

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

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

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

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

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

a. Eliminate the "corresponding membership" category;

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

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

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

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

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

It was VOTED

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

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

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

It was VOTED

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

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

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

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

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

10. NCAA Division I Board of Directors and Divisions II and III Presidents Councils reports.

   a. Division I Board of Directors. The Committee received an update on the actions of the Division I Board of Directors that included the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

# # # # #

REPORT OF THE NCAA MINORITY OPPORTUNITIES AND INTERESTS COMMITTEE SEPTEMBER 20-21, 2010, MEETING

***ACTION ITEMS*.**

1. Legislative Items.

- None.

2. Nonlegislative Items.

- None.

***INFORMATIONAL ITEMS*.**

Association-wide.

1. New committee members. The committee welcomed new committee members Irma Garcia, director of athletics, St. Francis College (New York); Darius Law, Division I Student-Athlete Advisory Committee (SAAC) representative, Atlantic 10 Conference, University of North Carolina at Charlotte; and Jeffrey McLeod, associate commissioner, Central Intercollegiate Athletic Association. The committee also expressed its gratitude to the following outgoing committee members for their service:

a. Aminah Charles, Division I SAAC representative, Mid-Eastern Athletic Conference, Hampton University.

b. Virnette House-Browning, executive athletics director, Bradley University.

c. Allison Tookes, associate athletics director, Wayne State University (Michigan).

2. Introduction to NCAA national office and international interns. The committee members were introduced to the 2010-11 NCAA national office interns and the two South Korean interns participating in the pilot International Internship Program.

3. Restructuring of the Executive Committee Subcommittee on Gender and Diversity Issues (ECSGD) and the national office. Staff provided the committee on overview of the recent national office executive staff changes and overall restructuring. Focused efforts around increasing efficiencies and the elimination of redundancies led to the most recent staffing changes that affected the area of NCAA diversity and inclusion and gender initiatives areas and staff. In light of the recent changes affecting the national office, the committee

asked that staff provide an update on the impact, if any, the staffing changes may have had on the diversity of the overall national office staff.

The committee also engaged in a discussion on the current committee charge and structure of the ECSGD as it relates to that of the Minority Opportunities and Interest Committee (MOIC) and the Committee on Women's Athletics. The committee was presented with proposed model changes and the rationale for combining the three committees into one to increase effectiveness. The committee will continue to discuss the issues and make a determination on whether to support any future proposed legislative changes that will need to be introduced by July for the 2012 legislative cycle.

4. **MOIC report.** The committee received an update regarding its July meeting and actions taken since the last meeting. A Division I Leadership Council member has been identified to participate in discussions and will be invited to attend the February meeting. The request to have a president or chancellor legislated to serve on the committee was moved from an action item to an Association-wide informational request in light of the ongoing discussions regarding committee structure changes.

5. **Updated committee meeting policies.** The committee was provided with a comprehensive overview of the updated insurance and travel policies of the national office, which went into effect September 1.

6. **2011 NCAA Convention diversity and inclusion sessions.** The committee received on overview of the diversity and inclusion proposed sessions for the 2011 NCAA Convention. Sessions scheduled to take place Wednesday, January 14, include: Overcoming adversity - solutions drawn from diverse perspectives, an introduction to the new NCAA Inclusion Framework, followed by the inclusion reception.

7. **Executive Committee Subcommittee on Gender and Diversity Issues report.** The committee was provided an overview of the ECSGD report from August, which included discussions on membership growth. The committee also was provided with an update on the recent activity of the national office with the Hispanic Association of Colleges and Universities (HACU) as well as the working committee that has been formed to address issues pertaining to Hispanic and Latino student-athletes, coaches and administrators. The committee has requested that available membership Spanish resources be identified.

8. **National Association of Diversity Officers in Higher Education (NADOHE) update.** The committee was provided an update on discussions with the president of NADOHE. The

NCAA is a charter member of the policy based organization. An invitation has been extended for the president of the Association to attend the February meeting of MOIC to continue the discussion.

9. Student-Athlete Advisory Reports.

a. Division I Student-Athlete Advisory Committee meeting report. A summary of the July Division I SAAC report was provided, which included the following areas of focus: commercialism, multi-year scholarship awards, and recruiting models. The next meeting will focus primarily on reviewing legislation for the next cycle.

b. Division II Student-Athlete Advisory Committee meeting report. A summary of the July Division II SAAC report was provided, which included the following highlights: the achievement of the 2010 Make-A-Wish donation goal, discussions on NCAA educational programming, transgender student-athlete issues, future meetings and the new Division II website.

c. Division III Student-Athlete Advisory Committee meeting report. A summary of the July Division III SAAC report was provided, which included the following areas of focus including: sand volleyball, drug education/drug testing models, transgender student-athlete issues and sports wagering.

10. Faculty Athletics Representatives Association (FARA) project team. The committee received an update on the progress of the work being done between MOIC and the executive board of FARA.

11. NCAA Funding Opportunities. The committee was provided with information outlining NCAA programming, grants and scholarship resources that are available to NCAA member stakeholders.

12. Fellows Program Update. The committee was provided an update on the NCAA Fellows Leadership Development Program, which provides professional and leadership development to experienced senior level administrators aspiring to become director of athletics. Since the program's inception in 1997, 56 individuals have completed the program. All females and ethnic minorities meeting the selection criteria are eligible to apply. The program is currently undergoing redesign to rebrand and enhance the program. Changes being made include the incorporation of a Champion's aspect which will pair the selected participants with presidents engaged in the governance structure. The time length of the program also will be shortened

from 18 to 12 months. The committee suggested a few changes to the selection criteria of the participants, which will be provided to the program administrators.

13. **2010-2012 MOIC strategic plan discussion.** Given staffing changes and developments at the national office, as well as potential committee restructuring, the committee decided to postpone any discussions on the strategic plan until the direction of the national office Inclusion Office was more apparent.

14. **NCAA Committee on Competitive Safeguards and Medical Aspects of Sports (CSMAS).** Staff provided an overview of the roles and responsibilities of the Health and Safety group within Educational Affairs. A comprehensive overview was provided on current activity which includes the following: injury surveillance efforts with DATALYS, changes being made to available educational materials for various student-athlete well-being issues (such as concussions, and heat related illnesses), sickle cell trait testing, sudden cardiac arrest issues and related future research efforts, and the development of educational resources. Additionally, the committee was updated on the progress in playing rules as a result of the work of the CSMAS.

15. **Division III cross country coaches' request**. The committee reviewed the follow up correspondence that was sent regarding the NCAA confederate flag policy request from the Division III cross country coaches.

16. **Other Business.** The committee discussed the current in-person meeting schedule. It was noted that the May meeting could be handled via conference call, with the September and February meetings remaining in-person.

17. **Future Meeting Dates and Sites.**

a. February 8-9, 2011, Indianapolis, Indiana.

b. May 3, 2011, (tentative conference call), time to be determined.

c. September 12-13, 2010, Indianapolis, Indiana.

Division II only.

18. **Division II Management Council/Presidents report**. An overview was provided on the Division II Council reports and the division's current initiatives: Life in the Balance which will focus on the non-championship segment as well as exempted contests; division membership growth and related concerns; recognizing the need for managing sickle cell but understanding the extensive costs associated with requiring sickle cell testing, and the launching of a Division II Mentoring Program between the Division II Athletics Director Association and Division II. A discussion was held regarding the consideration of future messaging the NCAA can develop to impact youth in our communities using student athletes to deliver the messages.

Division III only.

19. **Division III senior minority officer**. The committee was updated on recent discussions regarding the consideration of a proposed Division III designation of a senior minority administrator. The designated administrator would be recognized within the governance structure similar to that of the senior woman administrator; however, the administrator would not necessarily need to be a designated individual within the athletics department. This proposed effort is intended to assist in diversifying the Division III committee structure. The committee raised questions regarding whether it was a good practice to consider allowing an administrator not directly involved in the discussions on athletics to participate in the committee structure and make decisions on issues with which they may be unfamiliar. The committee's concerns will be shared with the Division III Management Council, as previously requested.

20. **Division III Management Council/Presidents report.** An overview was provided on the Division III council reports and the division's current initiatives: updated membership response to concerns on costs related to sickle cell testing; considerations being made to involve the position of the vice president for student-athlete affairs into governance discussions – many of the positions directly oversee athletics and work with the presidents and would be able to provide a different perspective, and increasing presidential involvement and communications to presidents regarding athletics.

Committee Chair: *Dawn Reynolds, University of Miami*
Staff Liaisons *Nicole Bracken, research*
Kimberly Ford, diversity and inclusion
Jay Rossello, general counsel

REPORT OF THE NCAA COMMITTEE ON WOMEN'S ATHLETICS (CWA) September 20-21, 2010

***ACTION ITEMS*.**

1. Legislative Action Items.

- None.

2. Nonlegislative Items.

- None.

***INFORMATIONAL ITEMS*.**

Association-wide.

1. New committee members. The committee welcomed Sarah Feyerherm, Washington College (Maryland); Kathy Jones, Southern Illinois University, Carbondale; Danez Marrable, University of Alabama at Birmingham; Rick Mazzuto, California State University, Northridge; Marilyn Moniz-Kaho'ohanohano, University of Hawaii Manoa; and Zack Solomon, American University (Division I Student-Athlete Advisory Committee (SAAC) representative).

2. Postseason Bowl Sponsorship. The CWA discussed and ultimately objected to the decision to permit the previously certified GMAC Bowl to change its title sponsor to GoDaddy.com . The committee shared its concerns with NCAA staff (Attachment). The CWA is concerned by the approval of GoDaddy.com as a football bowl sponsor as it does not correlate with espoused NCAA values and the respectful representation of women, particularly women in sport. CWA requests that focused efforts are made to ensure GoDaddy.com's advertisements and activities surrounding the postseason football bowl game will maintain the integrity and image of the NCAA and its student-athletes.

3. NCAA advertising policies. The committee recommends the NCAA Executive Committee review and consider directing the divisions to amend the Association's current advertising policies noted in NCAA Division I Bylaw 31.1.14.1 and Divisions II and III Bylaw 31.1.12.1. The current advertising policies of the Association are designed to exclude those advertisements that do not appear to be in the best interest of higher education with NCAA presidential authority to rule in cases where doubt exists.

Advertising associated with alcoholic beverages, cigarettes and other tobacco products, professional sports organization or personnel and organizations promoting gambling are expressly prohibited. The committee recommends that the list of expressly prohibited advertisements be expanded to exclude advertisements not in line with the values of higher education, including but not limited to sexually explicit or suggestive materials, discriminatory content or that content which condones violence. Further, the committee recommends that these policies be included not only as part of advertisers and advertising copy of game programs, broadcasts and telecasts, and other controlled aspects of NCAA championships but, in Division I, as part of the postseason bowl licensing criteria and process. The committee noted that explicitly stating such advertisements are not appropriately associated with NCAA championships or a postseason opportunity is in the best interest of the student-athletes and the Association, and in keeping with the Association's status as an institution of higher education.

4. Emerging Sports for Women Program Updates.

a. Sand Volleyball. The committee received an update on the status of sand volleyball legislation. Specifically, it was noted that the Division I governance structure is working to develop the legislative framework for the sport with legislative proposals under consideration as part of the 2010-11 legislative cycle. The committee reviewed the report of the Division I Legislative Council Sand Volleyball Working Group that was created to assist in the development of the framework and to provide feedback to the already proposed legislative concepts to the various cabinets and Legislative Council for their consideration. It was noted that the playing rules for sand volleyball are in the final stages of development. Finally, the committee was informed that a survey is being sent to Division III student-athletes and prospective student-athletes to assess the sand volleyball participation interest. The previous Division III survey related to sand volleyball and whether Division III should add it to the emerging sports for women list was targeted at campus administrators only.

b. Other emerging sports for women interest.

(1) Competitive Cheer. The committee received an update on recent Quinnipiac University litigation regarding competitive cheer and its status as a "sport" under the Office for Civil Rights (OCR) definition. There are currently two organizations developing two different competitive models that they believe would meet the OCR definition and consequently garner enough support to be considered as an emerging sport for women. The committee preliminarily discussed potential issues Stunts or Acrobatics and Tumbling could encounter in meeting the requirements to be considered an emerging sport for women, as well as developing associated legislation.

(2) **Triathlon.** Triathlon organizers have completed their proposal, and are currently in the process of collecting ten letters of support. The NCAA communicated information about the sport to every NCAA institution and conference. The committee discussed various ways to assist the education and communication efforts of triathlon organizers, including presenting to President's Council, Divisions I, II, and III Student-Athlete Advisory Committees, and using former collegiate female student-athletes who have now become professional triathletes.

5. Review of NCAA Divisions I, II and III Legislative Proposals. The slate of legislative proposals in all three divisions related to the committee's mission was reviewed. The committee noted the following:

- **Division I Proposal No. 2010-76 Financial Aid – Maximum Institutional Grant-in-Aid Limitations by Sport – Women's Basketball.** The committee opposes Proposal No. 2010-76, which would reduce the annual limit on the number of counters in women's basketball at each institution from 15 to 13. The committee noted overall, women's sports continue to be underfunded and underrepresented. This proposal could potentially decrease the participation opportunities for women in the context of available financial aid and the proposal does not indicate that the grant-in-aid opportunities would be reallocated to other women's sports. Further, based on the data available at this time indicating that not all institutions or even those in the top 50 are providing more than an average of 13 counters, the committee does not believe this measure would directly impact parity or competitive equity in women's basketball.

6. NCAA Committee Structure -- Restructuring of Executive Committee Subcommittee on Gender and Diversity Committee.

- Bernard Franklin and Wendy Walters, NCAA staff, presented and the committee reviewed two possible models for restructuring the Executive Committee Subcommittee on Gender and Diversity Subcommittee, the CWA and MOIC. The committee agreed with the importance of involvement by presidents and chancellors in issues relating to gender, minorities, LGBT and disabilities. Further, the committee noted that if a new committee model is pursued, such as having an Association-wide Inclusion Committee, the continued representation of student-athletes, faculty athletics representatives and subject matter professionals is important.

7. Lesbian, Gay, Bisexual and Transgender (LGBT) issues.

a. Transgender Student-Athlete Issues. NCAA staff provided an update on issues surrounding transgender student-athletes. The Division III governance staff has received several requests for resources to help the membership address issues with transgender student-athletes, both from an eligibility standpoint and student-athlete well-being standpoint. The Division III President's Council requested the committee raise awareness of the issues associated with, and identify available resources that address transgendered student-athletes' well being, and to develop a timeline to create NCAA policy on transgendered student-athlete participation. CWA noted that the primary need for resources is to protect student-athlete well-being, with competitive equity issues being a secondary but necessary issue to also be addressed. The national office is creating Association-wide resources to educate the membership by defining terms, outlining potential issues, and setting forth best practices until a formal policy is created. It was stressed that this is an Association -wide membership issue, even though the issue was first raised in Division III.

b. CWA discussed the need to build a foundation of educational resources to initiate membership discussion prior to developing a membership wide policy. The committee noted its support of the efforts to address LGBT issues and supported the provision of funding to support the development of a transgender student-athlete participation resource.

c. The committee reviewed a draft website with broader LGBT resources.

8. Task Force on the Impact of Violent Behavior Involving Student-Athletes.

- Becky Ahlgren-Bedics, NCAA staff, provided the committee with a report on the effort to address Impact of Violent Behavior Involving Student-Athletes. The issue was originally referred to the NCAA Committee on Sportsmanship and Ethical Conduct (CSEC) and now includes input from CWA, MOIC, Committee on Competitive Safeguards and Medical Aspects of Sports, and Divisions I, II, and III SAACs. The Executive Committee created an NCAA internal project team consisting of liaisons from each of these committees to organize a summit to discuss the issue of violent behavior involving student-athletes and work to create best practices to be used in the membership. The staff requested that the committee provide the names of any individuals and/or organizations that could serve as a resource on this issue. The committee noted its support for the effort of the internal project team, the summit, and the need to address the issue of violent behaviors involving student-athletes.

9. Research Issues

a. Campus Climate. Mary Wilfert, NCAA staff, presented a preliminary report on the student-athlete climate study that was conducted by Pennsylvania State University, funded by the NCAA. The survey was completed by 8,827 student-athletes from 195 institutions. Sixty-two percent of the survey respondents were women, 37 percent were men, and 11 respondents identified themselves as transgendered student-athletes. A more complete analysis of the quantitative data will be available in October, and a qualitative analysis will be available in May 2011 after the review of 4,000+ open-ended responses/comments provided by the student-athletes.

Some of the statistics noted included:

(1) Eighty-four percent of the student-athletes reported overall positive or very positive climate on campus and in the athletics department. The percentage decreased as class year increased. Additionally, student-athletes of color and LGBT student-athletes reported a less positive climate.

(2) Nine percent reported experiencing harassment. Twelve percent of student-athletes of color reported harassment versus 10 percent of white student-athletes. Twelve percent of LGBT student-athletes reported harassment versus six percent of heterosexual student-athletes. For student-athletes of color and heterosexual student-athletes, harassment was most often based on performance, while for LGBT student-athletes, harassment was most often based on sexual orientation. There was no significant difference in the data when separated by division.

b. Senior Woman Administrator. The NCAA research staff is surveying all senior woman administrators and athletic directors as a follow-up to previous research and to explore how the role is perceived and utilized, and what efforts may be needed to improve the effectiveness of the designation.

10. Division I Women's Basketball Update. The committee received an update from Sue Donohoe, NCAA Staff, regarding the issues being discussed in the women's basketball community. In particular, the efforts of the CCA/NCAA task force regarding issues such as women's basketball officiating were highlighted as well as the Division I academic and athletic development model. Further, efforts and issues surrounding efforts to increase parity and competitive equity in women's basketball were discussed.

11. **Divisions I, II and III Governance Meeting Updates.** The committee received updates from the Divisions I, II and III summer governance meetings. The Division II Presidents Council suggested moving the management of the removal of emerging sports from the list solely to the committee where it could be handled through non-legislative means. The committee noted the importance of broad membership engagement and participation in the addition and removal of emerging sports for women as the institutions are the entities sponsoring those sports. It was noted that emerging sports for women have an impact on sports sponsorship and revenue distribution issues and, therefore, legislative action by the membership or governance structure is necessary and appropriate. Finally, the committee noted that the necessary legislative actions may be accomplished through the noncontroversial legislation process, at the discretion of each division.

12. **Women's Professional Development Opportunities.** The committee received an update on the following programs:

    a. **NCAA Women Coaches Academy**. The NCAA women coaches' academy has served 688 coaches from 17 sports. It has also added regional and national continuing education programs to increase participation and continue its interaction with graduates. CWA supported the concept of developing a coaches association for academy graduates with the understanding that the organization will supplement rather than distract from sport-specific associations. A recent survey indicated over 80 percent of academy graduates are still in coaching.

    b. **NCAA/NACWAA Institutes.** NACWAA and the NCAA are participating in a strategic planning effort to evaluate the current programming offered. The committee suggested using as a model the educational programs in place for developing women as institutional presidents, since there are more female presidents than female athletics directors.

    c. **Women's Leadership Symposium**. Recent symposiums, designed to provide two-day professional development to women new to athletics administration and coaching and students interested in athletics careers, were held in Cambridge, Massachusetts, Sacramento, California, Chicago, Illinois, and Tampa, Florida. Future sites include San Antonio, Texas January 11-12, 2010, Indianapolis, Indiana May 5-6, and Long Island, New York May 27-28 in conjunction with the Division I Women's Lacrosse Championship.

    d. **Winning Careers in Athletics.** There will be a two day event at the Women's Final Four in Indianapolis designed to introduce female undergraduate students to career opportunities in athletics.

e. **Careers in Sports Forum.** Curtis Hollomon, NCAA staff, provided an overview of the most recent Careers in Sports Forum, as well as information on the programming and resources available to student-athletes and institutions.

f. **ADA Mentor Program.** The committee was advised about a new Division II initiative to match female and minority administrators with experienced mentors. The committee looks forward to information about the program's implementation and success.

13. **Committee on Women's Athletics Subcommittees**. The committee appointed the following members to serve on the identified (sub)committees:

a. Marilyn Moniz-Kaho'ohanohano, University of Hawaii, Mano, to serve on the CWA Strategic Planning Subcommittee.

b. Danez Marrabble, University of Alabama at Birmingham, and Rick Mazzuto, California State University, Northridge, to serve on the CWA/MOIC NCAA Matching Grant for Minority Women Selection Committee.

14. **NCAA Woman of the Year Selections.** The committee received an update regarding the 2010 NCAA Woman of the Year, including statistics related to the conference nominations and nominee demographics. There were 139 conference/independent nominations and 452 institutional nominees. In order to increase the number of nominations, the committee discussed possibly implementing incentives at the conference level for those conferences that have a nomination from every institution. Additionally, the committee received an update on the plans for this year's award dinner and honoree activities on the weekend of October 16-17, 2010.

15. **Health and Safety Update.** David Klossner, NCAA staff, provided the committee with a health and safety resource sheet, which listed all available NCAA resources, and an update on the recent issues surrounding concussions and sickle cell trait testing. The staff noted the need for more participation in the NCAA injury surveillance program, and reminded the committee there is a free tool that institutions may use to record injuries.

The committee requested information on catastrophic and other injuries in competitive cheer, sideline cheer, and stunting/gymnastics. The committee also requested that more information and resources on nutrition and various eating/exercising disorders be provided to the membership.

16. Title IX Update. The committee received an update on Title IX related matters, including issues regarding the equitable scheduling of men and women's contests, and the counting of track participants.

17. Future meeting dates and sites.

a. February 23, 2011 via conference call.

b. June 21-23, 2011 in Indianapolis.

c. October, 2011(dates TBD) tentatively at NACWAA Convention in Pittsburgh, PA.

Committee Chair: *Stan Williamson, Campbell University*
Staff Liaison(s): *Karen Morrison, Gender Inclusion*
Lynn Holzman, Academic and Membership Affairs
Brynna Barnhart, Enforcement

NCAA Committee on Women's Athletics Response to Go.Daddy.com Postseason Football Bowl Title Sponsorship

As stated in the NCAA Application for License to Conduct Postseason Football Contest, "because football bowls are licensed by the NCAA and benefit from enabling NCAA bylaws, the public identifies bowls as a part of NCAA football." Further, the application states that postseason football bowls must "promote and administer a postseason football game consistent with the image, integrity and values of the NCAA."

It is with this understanding that the NCAA Committee on Women's Athletics (CWA) objects to the approval of GoDaddy.com as a sponsor of a postseason football bowl game. The CWA believes sponsors of the postseason football bowl games should be consistent with NCAA values and attributes. The NCAA has previously excluded ads or advertisers "that do not appear to be in the best interests of higher education and student-athletes." However, the majority of the GoDaddy.com advertisements contain sexually suggestive material, most notably with the use of the "GoDaddy Girls." Its advertisements have also been criticized by the media for the "raunchy, Girls-Gone-Wild" style.

While GoDaddy.com has asserted its advertising during the postseason football bowl game will be appropriate for the viewing audience, the public already associates GoDaddy.com with the sexually explicit messages portrayed through its previous advertising campaigns. Further, a review of the GoDaddy.com website reveals advertisements, commercials and videos even more suggestive than allowed on television. Not only are GoDaddy.com's advertisements disrespectful to the over 180,000 female student-athletes participating in the NCAA, they also send a message to the over 200,000 male student-athletes that sexual exploitation of women is acceptable behavior.

The National Collegiate Athletic Association
September 21, 2010 KM/LH/BB:clm

NCAA Government Relations Report
(Updated September 2010)

1. Government Relations Overview.

Upon returning from their August recess, members of Congress will continue to focus on the nation's economy and national security while preparing for the upcoming mid-term elections. This fall, voters will determine the outcome of 36 Senate races and 435 races in the House of Representatives, which have already been impacted by the announced retirements of numerous members of Congress and several early surprises in primary elections. Despite its heavy workload, Congress has continued to show considerable interest in a variety of matters pertaining to amateur and professional athletics. The academic performance of student-athletes, rogue athlete agents, concussions, conference realignment and the structure of the BCS all continue to garner the attention of policymakers. With significant developments occurring with the structure and contractual agreements within amateur and professional athletics, it is expected that Congress will continue to express an interest in athletics related matters.

2. Federal Issues.

a. Concussion Management.

On May 24, 2010, the House Judiciary Committee conducted a field forum in New York, NY titled "Key Issues Related to the Identification and Prevention of Head Injuries in Football." The examination was the fourth installment in a series of congressional inquiries on this matter. The forum was conducted by House Judiciary members, Representative Linda Sanchez (D-CA) and Representative Anthony Weiner (D-NY). A significant amount of the discussion focused on the NFL and the new leadership of its committee on head injuries. Dr. Richard Ellenbogen and Dr. Hunt Batjer, who recently began their roles as co-chairman of the NFL committee on head injuries, were questioned about the new direction of the committee; the leagues' dealings with retired players now suffering from traumatic head injuries, and data drawn from recent testing on various types of helmets.

While not the focus of the hearing, head injuries in college athletics were also discussed. Charlotte Bingham, managing director, Equal Opportunity Office, and associate vice chancellor of administration, Texas Tech University, and Tammy Plevretes, whose son, Preston, suffered severe injuries from multiple concussions

while playing football for La Salle University served as witnesses. Both individuals spoke directly to the dangers associated with mild traumatic brain injuries among amateur athletes.

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

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

b. Internet Gambling.

On May 19, 2010, the House Committee on Ways and Means held a hearing on tax proposals related to legislation to legalize Internet gambling. Witnesses included Representative Barney Frank (D-MA), Representative Jim McDermott (D-WA) and Representative Bob Goodlatte (R-VA). Each of these members has been integrally involved in the debate on whether to continue to prohibit Internet gambling or legalize and license online wagering operations. Representative Frank and Representative McDermott have introduced several measures during the 111th Congress that would allow for the latter.

While the conversation to date has focused on the issue of whether Internet gambling should be legal or illegal, this hearing took a closer look at the tax implications of proposals to legalize the activity. Specifically, there was an examination of the civil and criminal compliance issues and tools necessary to collect revenue if Internet

gambling became legal. Two measures served as a foundation for the discussion during the hearing, H.R. 2267, the Internet Gambling Regulation, Consumer Protection, and Enforcement Act, and H.R. 4976, the Internet Gambling Regulation and Tax Enforcement Act of 2010, which were introduced by Representative Frank and Representative McDermott respectively.

On July 28, 2010, the House Financial Services Committee conducted a mark-up of H.R. 2267. H.R. 2267 would create a federal regulatory and enforcement framework that would permit Internet gambling operators to obtain licenses, enabling them to accept bets from individuals located in the United States. During the hours of debate, a key amendment was offered by Representative Peter King (R-NY) and Representative Gregory Meeks (D-NY), which explicitly prohibits Internet wagering on sporting events excluding pari-mutuel racing. This amendment was passed by a voice vote. Ultimately, H.R. 2267 was passed by the House Financial Services Committee by a margin of 41-22. However, with a limited congressional calendar and a lack of a companion bill in the Senate, H.R. 2267 faces a very uncertain future.

c. Federal Agencies / Organizations.

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

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

been extremely responsive to the NCAA and have offered to continue to meet with appropriate staff when needed.

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

3. State Issues.

a. Scholarship Disclosure.

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

While generally supporting the bill's goal of ensuring that prospective student-athletes are making informed decisions; several California institutions expressed concern about the burdensome costs associated with distributing this disclosure letter to all recruits. More importantly, these schools argued that this information is already readily available for prospective student-athletes. Additionally, in order for Division I institutions to remain in compliance with the bill and NCAA bylaws, they would be subjected to significant limitations on when they could provide verbal offers.

Prior to passage by the California Senate, AB 2079 was significantly amended. Under the proposal that was passed by the full legislature on August 26, 2010, California postsecondary institutions would only be required to post information outlining specific terms and conditions of an athletic scholarship on its Internet

website. Provisions relating to when a written scholarship offer must be made were removed. AB 2079 has been sent to the Governor for his consideration.

b. Uniform Athlete Agent Act.

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

To date, the UAAA has been passed in 40 states, Washington D.C. and the U.S. Virgin Islands. While the majority of state legislatures have adjourned for the year, there are two states with active UAAA legislation where recent movement has occurred. On April 21, 2010, SB 2542 was passed by the Illinois legislature. Governor Quinn signed the measure into law on July 14, 2010. In California, SB 1098 was passed by the California State Senate by a vote of 23-12. Upon moving to the Assembly, the measure was passed by a vote of 51-23 on August 23, 2010. SB 1098 will next be sent to the Governor for his consideration.

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

c. Higher Education Associations.

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

Leadership Council Attendance
October 5, 2010 Meeting

Leadership Council members in attendance:
Michael Alden, University of Missouri, Columbia, Big Twelve Conference, chair
Jeffrey Altier, Stetson University, Atlantic Sun Conference
Sandy Barbour, University of California, Berkeley, Pacific-10 Conference
McKinley Boston, Jr., New Mexico State University, Western Athletic Conference
Peg Bradley-Doppes, University of Denver, Sun Belt Conference
Barry Collier, Butler University, Horizon League (alternate)
Janet Cone, University of North Carolina, Asheville, Big South Conference
Joan Cronan, University of Tennessee, Southeastern Conference
Tom Douple, Summit League
Nick Fulton, Division I Student-Athlete Advisory Committee
Chet Gladchuk, U.S. Naval Academy, Patriot League
Robin Harris, Ivy League
Alan Hauser, Appalachian State University, Southern Conference
Jack Hayes, Hofstra University, Colonial Athletic Association
R.C. Johnson, University of Memphis, Conference USA
Cynthia K. Jones, Southern Illinois University at Carbondale, Missouri Valley Conference
Paul Kowalczyk, Colorado State University, Mountain West Conference
Susan Cross Lipnickey, Miami University, Mid-American Conference
John Marinatto, Big East Conference
Noreen Morris, Northeast Conference
Patrick Nero, America East Conference
Ed Pasque, Atlantic 10 Conference (alternate)
John Ritschdorff, Marist College, Metro Atlantic Athletic Conference
Dennis Thomas, Mid-Eastern Athletic Conference
John Watson, Pepperdine University, West Coast Conference
Bobby Williams, Sam Houston State University, Southland Conference
Mark Wilson, Tennessee Technological University, Ohio Valley Conference

Leadership Council members not in attendance:
Morgan Burke, Purdue University, Big Ten Conference
Peter Fields, Montana State University-Bozeman, Big Sky Conference
Lynn King, University of the Pacific, Big West Conference
Jonathan (Jon) LeCrone, Horizon League
Charles McClelland, Texas Southern University, Southwestern Athletic Conference
Clyde McCoy, University of Miami, Atlantic Coast Conference
Jim Miller, University of Richmond, Atlantic 10 Conference

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

Guests:
Time Weiser, deputy commissioner, Big 12 Conference

NCAA staff members in attendance: Scott Bearby, Erik Christianson, Angie Cretors, Mark Emmert, Bernard Franklin, Michelle Hosick, Jim Isch, Kevin Lennon, Steve Mallonee, Rachel Newman, Delise O'Meally, Stacey Osburn, Dennis Poppe, Wallace Renfro, Bob Williams and Brandon Wright, were also present during portions of the meeting.

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

1. ACTION ITEMS.

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

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

2. INFORMATION ITEMS.

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

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

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

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

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

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

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

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

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

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

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

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

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

j. **Future Meetings**.

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

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

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