



Post-Presidential Retreat Updates January 25, 2012

New Working Group to be formed. At the January 14 Division I Board of Directors meeting, NCAA President Emmert discussed the need to address institutional integrity and shared responsibility, particularly in determining the appropriate role for decentralizing rules and the nature of the rules for which institutions and conferences should be held accountable. At the request of the Transforming Intercollegiate Athletics Collegiate Model – Rules and Enforcement Working Groups, President Emmert informed the Board that he will create a working group to address institutional integrity and shared responsibility.

Student-Athlete Well-Being Working Group



Presentation to Board: October 2011

Chair: Sidney McPhee, President
Middle Tennessee State University

*Direct questions and feedback to staff contact:
David Berst, dberst@ncaa.org*



Group
Presented to
Board
**OCT 27 &
JAN 14**

EXISTING INFORMATION

Since the Division I Board of Director's October 27 action to approve legislation implementing the \$2,000 miscellaneous expense allowance for student-athletes and multi-year scholarships, the membership has provided significant feedback about these pieces of permissive legislation. The NCAA received 160 override requests for Proposal No. 2011-96 (miscellaneous expense allowance) and 82 override requests for Proposal No. 2011-97 (multi-year scholarships). Because of the override petitions, the Board reconsidered its October decisions and determined a course of action at its January 14 meeting.

DEVELOPMENTS

Student-Athlete Well-being Working Group Chair President Sidney McPhee presented the following recommendations to the Board based upon reconsideration of the legislation by the Working Group and comments and discussion by membership groups, including student-athletes, during the 2012 NCAA Convention:

1. That in its reconsideration of Proposal No. 2011-97 – “Multi-Year Grants in Aid,” the Board of Directors should reaffirm its original action to adopt the proposal.

Board of Directors response: The Board voted to reaffirm its original action to adopt Proposal No. 2011-97. As a result of this action, the proposal will proceed to an online (one vote per active member institution and multi-sport conference) override vote. It is anticipated

that the vote will take place in February.

2. That in its reconsideration of Proposal No. 2011-96 “Miscellaneous Expense Allowance,” the Board should take the following actions:

- Remove the portion of the proposal that provided that all non-athletics financial aid would no longer count toward team limits.
- Charge the Student-Athlete Well-Being Working Group with developing an updated \$2,000 miscellaneous expense allowance proposal that considers the options below, as well as a need-based component (models still to be developed), for review by the Board at its April meeting. It was also recommended that the proposal would apply to grants-in-aid, effective for the 2013-14 academic year.
 - Increase the total dollar value (denominator) of full and equivalency grants-in-aid in effect by \$2,000 (not to exceed the institution’s cost of attendance).
 - Maintain the value of a full grant-in-aid at its current level, and establish an “exempt” category of miscellaneous expense funds that are designated on team squad lists for use at the institution’s discretion to award up to \$2,000 (not to exceed cost of attendance) for full grant recipients, as well as to provide up to the proportionate amount of applicable funds to any or all equivalency grant recipients only.

Board of Directors response: The Board reaffirmed its support for the \$2,000 miscellaneous expense allowance, directing the Student-Athlete Well-Being Working Group to come back to the Board in April with an updated proposal, including need-based models, that considers the issues above as well as recommendations for implementation. This action strikes Proposal No. 2011-96 in favor of a new legislative proposal as described above to be considered by the Board during its April meeting. As is the case with all new legislation, it will be open for 60 days for submission of override votes.

[Read more](#) about the Board’s decisions on the miscellaneous expense allowance and multi-year scholarships at NCAA.org.

Resource Allocation Working Group



Presentation to Board: January 2012

Chair: Michael Adams, President
University of Georgia



Vice Chair: Ann Millner, President
Weber State University

Direct questions and feedback to staff contact:
Kathleen McNeely, kmcneely@ncaa.org



Group
Presented to
Board
JAN 14

DEVELOPMENTS

The Resource Allocation Working Group presented its recommendations to the Division I Board of Directors on January 14.

The following are the proposals presented to the Division I Board, along with the Board's response and/or action.

1. The Working Group proposed that the Board adopt a resolution which specifies:
 - That an immediate moratorium be instituted to cap the number of contests/dates of competition at the levels that currently exist in all sports;
 - That the NCAA Division I Board of Directors commission a study to determine the maximum number of contests/dates of competition of the playing season (championship and non-championship segments) that is essential to the success of each NCAA sport. In addition, the Working Group recommends that the scope of this study specifically examine how basketball contests are counted; and
 - That once the study is completed and the appropriate contest/dates of competition limits are in place for each sport, that those limits remain in place for 10 years.

Board of Directors response: The Board adopted the resolution.

2. The Working Group proposed that the Board adopt legislation to reduce scholarships as follows:
 - FBS football scholarships from 85 to 80, effective August 1, 2012.
 - FCS football scholarships from 63 to 60, with 80 overall counters, effective August 1, 2012.
 - Women's basketball scholarships from 15 to 13, effective August 1, 2014.

Board of Directors response: The Board voted to defeat legislation to reduce scholarships in FBS football and women's basketball. [NOTE: The FCS members of the Presidential Advisory Group will vote on FCS football scholarship reductions in April, as the authority rests with that group for legislation specific to FCS football.]

3. The Working Group recommended that the Board adopt legislation, effective August 1, 2014, to eliminate institutional foreign tours that occur at any time. Signed contracts dated before January 14, 2012, for scheduled institutional foreign tours would be honored.

Board of Directors response: The Board voted to defeat the legislation.

4. The Working Group proposed that the Board adopt legislation, effective August 1, 2013, that limits the number of non-coaching staff members in the sports of football and men's basketball as follows:
- In football, a limit of 12 non-coaching staff members, whose duties include support of the football program in any capacity, including third-party contractors that may be employed by an institution. The 12 non-coaching staff members shall not include athletics trainers, academic support and compliance staff members.
 - In men's basketball, a limit of six non-coaching staff members, whose duties include support of the men's basketball program in any capacity, including third-party contractors that may be employed by the institution. The six non-coaching staff members shall not include athletics trainers, academic support and compliance staff members.

Board of Directors response: The Board expressed interest in taking action to address this matter, but voted to table these recommendations for reconsideration at its April meeting, and asked that additional information and feedback be gathered from the membership regarding appropriate number limitations.

Collegiate Model – Rules Working Group



Presentation to Board: April 2012

Chair: James Barker, President
Clemson University



Vice Chair: Steadman Upham, President
University of Tulsa

*Direct questions and feedback to staff contact:
Kevin Lennon, klennon@ncaa.org*



Next
Teleconference
JAN 30



Next Meeting
FEB 20

DEVELOPMENTS

Guided by the October 2011 resolution adopted by the NCAA Division I Board of Directors, the NCAA Working Group on Collegiate Model – Rules continues its work on a new regulatory culture and review of specific principle-based outcomes and operational bylaws. The group has identified over-arching principles, such as fairness, accountability and integrity, which are guiding work within the individual bylaws.

The Working Group expects to finalize drafts of principle-based outcomes and operating bylaws by the end of January. A copy of the principle-based outcomes and select operating bylaw changes was provided to the Board at the January 14 meeting to demonstrate the progress to date. For example, one bylaw was reduced from approximately 15 pages to five pages. The Phase I bylaw review includes:

1. Bylaw 11 (Conduct and Employment of Athletics Personnel).
2. Bylaw 12 (Amateurism).
3. Bylaw 13 (Recruiting).
4. Bylaw 14 (Eligibility: Academic and General Requirements).
5. Bylaw 15 (Financial Aid).
6. Bylaw 16 (Awards, Benefits and Expenses for Enrolled Student-Athletes).
7. Bylaw 22 (Academic Performance Program).

Going forward, the Working Group plans to solicit feedback on the specific rewrites of these bylaws from the membership – including the various committees, councils and cabinets in the Division I governance structure, as well as from SAAC – in February and March 2012.

In addition to gathering feedback, members of the Working Group will work with identified “thought leaders” from the compliance, athletics administration and academic support communities in each bylaw area to prepare completed drafts of principle-based outcomes and operating bylaws for the Working Group’s review prior to wider circulation in early 2012.

Following the update on the Working Group’s efforts, Kevin Lennon, NCAA vice president of academic and membership affairs, presented the following Rules Working Group recommendations at the January 14 Division I Board of Directors meeting:

- That the Board support the Working Group’s general approach for a new regulatory structure, which includes developing principle-based outcomes to ensure that NCAA rules are value-based, meaningful, enforceable and supportive of the collegiate model of sport. The characteristics of this new structure include fewer regulations, but those regulations will focus on the most important areas. Further, violations of principle-based outcomes and operating bylaws will result in appropriate penalty and consequences.

Board of Directors response: The Board noted its support for the new regulatory structure.

- That the Board endorse a moratorium on new legislation for the 2012-13 legislative cycle (unless part of the presidentially-led reform agenda), as well as to ask the NCAA Division I Legislative Council to table proposals in the 2011-12 cycle that could be impacted by the working group's efforts. In order to make the principle-based approach to the rule book successful, the group believes that suspending legislation in 2012-13 and tabling a large majority of the 78 proposals in the current cycle that could be related to the group's charge is necessary to allow the membership time to think more broadly about the rules and the rules-making process.

Board of Directors response: The Board voted to apply a moratorium on new legislation for the 2012-13 legislative cycle unless it is part of the presidential agenda.

EXISTING INFORMATION

The Working Group has identified a framework for a new approach to NCAA rules. Under this construct, all NCAA legislation must tie back to the NCAA enduring values of student-athlete success, the collegiate model, amateurism or equity and must support or advance a constitutional

principle. The model will define specific principle-based outcomes in key bylaws, with accompanying operating bylaws that provide further guidance to assist with compliance. The operating bylaws are to be meaningful, enforceable and supportive of student-athlete success. Additional guidance will be provided by the national office, conferences and professional organizations. The group also continued its work on a redefined principle of competitive equity to better focus on issues of fairness.

The Working Group agrees there are broader issues related to institutional integrity and the NCAA regulatory culture that require the attention of each campus, conference and the NCAA. The Working Group believes it is important for the NCAA to determine the need to regulate behaviors historically not considered within the scope of NCAA rules, and to discuss appropriate NCAA involvement even when behaviors may not be covered by NCAA rules. The working group encourages NCAA leadership to consider how best to address issues of institutional integrity and the regulatory culture.

In addition, the group will meet jointly with the Collegiate Model – Enforcement Working Group in early 2012. Both working groups have voiced acknowledgment of the need for strong collaboration between their efforts.

Collegiate Model – Enforcement Working Group



Presentation to Board: April 2012

Chair: Edward Ray, President
Oregon State University



Vice Chair: Nancy Zimpher, Chancellor
State University of New York

Direct questions and feedback to staff contact:

Julie Roe Lach, jroe@ncaa.org

Laura Wurtz McNab, lwurtz@ncaa.org



Group

Teleconferenced
**DEC 19, JAN 3
and JAN 17**



Next
Teleconference
JAN 30

DEVELOPMENTS

Members of the Collegiate Model – Enforcement Working Group teleconferenced on December 19, January 3 and 17 to frame more fully the problems and desired outcomes guiding their work. The Working Group also briefed the Division I Board of Directors at its January 14 meeting and received constructive and positive feedback.

Members of the Collegiate Model – Enforcement Working Group continue to review and discuss the viability of various alternative multi-level violation, process and penalty structures. On its January 30 teleconference, the group will discuss the final draft of the proposed structures to be shared broadly with the Division I membership for feedback during February and March. Once

shared, feedback regarding the Collegiate Model – Enforcement Working Group’s proposed concepts should be forwarded to Julie Roe Lach and/or Laura Wurtz McNab, lwurtz@ncaa.org.

The Collegiate Model – Enforcement Working Group’s efforts anticipate the following timeline:

February/ March

- Provide the final draft of the proposed structures to membership for feedback.

April

- In-person meeting to review membership feedback and finalize first phase concepts.
- Present final concepts to the Division I Board of Directors.

August

- Propose necessary legislative changes to the Board.

EXISTING INFORMATION

The Collegiate Model – Enforcement Working Group was tasked with creating a multi-level NCAA rules violation structure; an enhanced penalty structure for NCAA rules infractions; and re-establishing a sense of shared responsibility among the interested individuals and entities in intercollegiate athletics, for NCAA rules compliance and enforcement. In so doing, the Collegiate Model – Enforcement Working Group is relying on the following three guiding principles:

- The Principle of Fairness – Any new violation and penalty structure must be fair to all parties involved in the process and consider the interests of all member institutions that uphold integrity through rules compliance. Appropriate weight should be given to fair process considerations for those culpable for violations or otherwise involved and potential legal implications. In addition, the severity of penalties must have a direct correlation with the significance of the violations as identified by the membership and staff, as well as the NCAA enduring values.
- The Principle of Accountability – The new violation and penalty structures should be designed to hold those institutions, coaches, administrators and student-athletes who violate the rules accountable for their conduct, both at the individual and institutional levels. In addition, both the NCAA staff and membership (coaches, administrators, institutions and conferences) must be held accountable for the fairness of the process and must understand the shared responsibility of accountability to the intercollegiate model, regardless of the direct impact on those involved in violations.
- The Principle of Process Integrity – Any new structures must be designed to ensure effectiveness and efficiency in the process and its results. The new structures must be easily understood, legitimate, timely, respecting of confidentiality while transparent with the process, and sufficiently workable to establish clear and strict guidelines and boundaries.

Desired Outcomes of Working Group Efforts:

- A new violation structure that appropriately categorizes the severity of infractions and allows for different levels of accountability for institutions and individuals.
- A much faster mode for processing violations that delivers expediency without compromising process integrity or fairness.
- Strong penalties that deter the risk/reward analysis and address any unfair advantage.
- Clear definition of shared responsibility and resulting expectations of individuals, institutions, conferences, and the national office.

Because changing the process of how rules are developed and enforced is the work of the Collegiate Model – Rules Working Group, the Collegiate Model – Enforcement Working Group will meet jointly with the Rules Working Group early in 2012. Both working groups have voiced acknowledgment of the need for strong collaboration between their efforts.

Committee on Academic Performance (CAP)



Presentation to Board: October 2011

Chair: Walter Harrison, President
University of Hartford



Vice Chair: Roderick McDavis, President
Ohio University



Group
Presented to
Board
OCT 26-27

*Direct questions and feedback to staff contacts:
Kevin Lennon, klennon@ncaa.org
Bernard Franklin, bfranklin@ncaa.org*

DEVELOPMENTS

Walter Harrison, chair of the Committee on Academic Performance, presented the following recommendations to the Division I Board of Directors at its January meeting to continue the implementation of its approved recommendations:

1. That the Board of Directors reinstate Proposal No. 2011-65 – Eligibility – Two-Year College Transfers – Year of Academic Readiness at Two-Year College to the 2011-12 legislative cycle and table it.

Board of Directors response: The Board agreed to reinstate the proposal and then moved to table it.

2. That the Board approve the NCAA Division I Academic Performance Program (APP) Penalty Waiver Directive.

Board of Directors response: The Board approved the APP Penalty Waiver Directive.

3. That the Board approve an amendment to the APP policies and procedures providing an additional waiver appeal opportunity for teams that do not meet the postseason competition academic requirements.

Board of Directors response: The Board approved the amendment to the APP policies and procedures.

On its January 12 teleconference, CAP continued its discussion on a more rapid collection and finalization of APRs to expedite the announcement of APRs and application of penalties and/or postseason ineligibility. A number of options to expedite the submission, waiver and appeal processes were considered. The committee agreed to maintain the current process for the current year. The committee will continue to study the feasibility of a new, or revised, process for the future. Currently, data are submitted each fall, waivers and appeals are conducted in the winter and spring and the announcement is made after the last postseason event each year. Ineligibility for postseason competition and any penalties assessed will be taken in the next academic year (e.g., data years for eligibility for postseason in 2012-13 will be 2007-08, 2008-09, 2009-10 and 2010-11).

In addition, CAP will review at its February meeting recommendations from the Limited-Resourced Institution Advisory Group regarding additional considerations for the transition to the 930 APR baseline for eligibility for post-season competition and other APP penalties. These considerations, if approved, would pertain only to limited-resourced institutions.

The committee also approved the detailed SAT/ACT and grade-point average requirements that correspond to the changes adopted by the Board in October that must be met in order for a student-athlete to receive athletics aid, practice and compete during his or her first year of report to the NCAA Division I Committee at a Division I institution.

Lastly, CAP and NCAA staff continue work on robust prospective student-athlete education efforts for the new initial eligibility standards. With the full sliding scale coordinates finalized, these education efforts will begin to ramp up significantly in the coming months.

EXISTING INFORMATION

The Division I Board of Directors voted October 27 to adopt legislation implementing recommendations to improve the academic success of student-athletes. The NCAA Division I Committee on Academic Performance and the Division I Academic Cabinet created a package of proposals aimed at improving academic success. The package of proposals includes increased initial-eligibility standards, increased two-year college transfer standards, an increase of the penalty benchmark to 930, and amending the NCAA Division I Academic Performance Program to establish an academic standard of 930 for participation in the postseason.