



Post-Presidential Retreat Updates November 30, 2011

Collegiate Model – Rules Working Group



Presentation to Board: April 2012

Chair: James Barker, President
Clemson University



Vice Chair: Steadman Upham, President
University of Tulsa



Group Met
OCT 11



Next Meeting
DEC 13

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

DEVELOPMENTS

The Collegiate Model – Rules Working Group will meet next on December 13, at which time the group will review specific principle-based outcomes and operational bylaws.

Since its October meeting, the Working Group:

- Has continued outreach and communication efforts with the membership. In addition to written feedback provided by organizations, they have called and met with key constituent organizations for feedback and comment.
- Continues work at a brisk pace in reviewing NCAA Bylaws 11 through 16. Staff has made great progress in drafting principle-based outcomes for the Working Group's consideration, and has begun the process of identifying specific operating bylaws.
- Completed drafts that provide an overview of a new regulatory approach, as well as a redefining of competitive equity in terms of "fairness of competition."

By the conclusion of the December 13 meeting, the Working Group hopes to have:

- Reviewed, amended as necessary, and approved an overview of a regulatory approach.
- Reviewed, amended as necessary, and approved a Fairness of Competition principle.
- Discussed and offered feedback on a general approach to principle-based outcomes and operating bylaws.

- Endorsed a statement indicating that the new regulatory approach will result in significantly fewer NCAA rules, but those identified will have a stronger tie to our enduring values.
- Provided specific reactions to key questions posed by staff to assist in moving forward, including on membership and constituent communication efforts.
- Discussed a recommended approach related to evaluating existing and future legislative proposals.
- Discussed implications of, and created a plan for, increasing shared responsibility within the governance structure among conferences, institutions and professional organizations.
- Discussed other regulatory concepts, including the creation of incentives in a regulatory culture.

In addition, the Collegiate Model – Rules Working 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.

EXISTING INFORMATION

At its October meeting, the Collegiate Model – Rules Working Group supported a new approach to the regulatory aspect of intercollegiate athletics that will ensure legislation aligns with and addresses our enduring values. In support of this new approach, the group decided to:

- (1) Establish principle-based outcomes that will apply to each operating bylaw, promote the fundamental constitutional principle of each operating bylaw and serve as the basis for legislation of national significance that merits inclusion in the Manual;
- (2) Redefine “competitive equity” in terms of fairness to member institutions and student-athletes;
- (3) Work collaboratively with the Collegiate Model – Enforcement Working Group to identify an appropriate penalty structure that reinforces the need to adhere to established principles; and
- (4) Increase shared responsibility for rules compliance among those who participate in, lead and administer intercollegiate athletics at the campus, conference and national levels, and coaches.

The Collegiate Model – Rules Working Group also briefed the Division I Board of Directors at its October 27 meeting on its progress to date. The working group requested and received endorsement from the Board for a resolution that summarizes the concepts and direction for the working group as they do their part to transform intercollegiate athletics, driven by principle-based outcomes.

Collegiate Model – Enforcement Working Group



Presentation to Board: Beginning January 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*


Group
Teleconferenced
NOV 16


Next Meeting
DEC 5-6

DEVELOPMENTS

The Collegiate Model – Enforcement Working Group held a teleconference on November 16, at which the Working Group agreed to recommend a new violation structure to the Division I Board of Directors. The recommendation is predicated upon the members' agreement that the current violation structure of secondary and major violations does not allow for the necessary discretion and flexibility to increase the significance of intentional secondary violations and penalties. Additionally, some current major violations would be more appropriately handled through a different classification system delineating institutional and individual responsibility. As a result, the Working Group is recommending a move from the current model to a four-level violation structure:

- Level I – The most egregious violations.
- Level II – Serious violations that currently border between major and secondary.
- Level III – Significant violations that warrant staff review.
- Level IV – Minor or technical violations.

On the call, Chairman Ed Ray reported that the Board generally supports the direction the Working Group is heading and is comfortable with four levels of violations. The Board also supports including, where appropriate, violations against directors of athletics, presidents and chancellors related to oversight of the athletics program.

In addition to the violation matrix, the presidents on the Working Group requested a higher-level narrative that frames the guiding principles and desired outcomes of the Working Group's efforts. The narrative remains in draft form, but highlights the previously articulated principles of fairness, accountability and process integrity (see Existing Information), process structure, and the following desired outcomes:

- 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.

The Working Group will meet next on December 5-6. At that meeting, staff will present interim changes and a final draft of guiding principles to the Working Group for final review. The Working Group will also evaluate a proposed penalty structure and discuss redefining institutional control.

In addition, 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.

EXISTING INFORMATION

Timeline

- Finalize working group meeting schedule – December
- Initial proposals to Board – January 2012
- Final proposals to Board – April 2012
- Legislative package to Board – August 2012

Draft 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. The severity of penalties must have a direct correlation with the significance of the violations, and both need to coincide with the NCAA enduring values as identified by the membership and staff.

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.

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:
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Group
Teleconference
NOV 4


Next
Meeting
DEC 2

DEVELOPMENTS

The group will meet in person in Atlanta on December 2 to revisit recommendations made to date against enduring values, as outlined below. The working group will also seek to reach final consensus on a proposal to reduce non-coaching personnel for men's basketball and football and to review the current minimum number of sports required for Division I.

EXISTING INFORMATION

The Resource Allocation Working Group held a teleconference on November 4 to review draft recommendations regarding the minimum number of sports required for Division I membership and limitations on non-coaching personnel; the group also discussed revisiting recommendations that have been made to date. The working group:

1. Decided to revisit approved proposals to verify that the recommendations correlate with the enduring values that include: academic and athletic student-athlete success; the collegiate model; amateurism; and competitive equity among institutions of similar commitment to collegiate athletics. The approved proposals to be revisited are:
 - a. Elimination of non-championship segment competition. The sports with non-championship segment competition are cross country, field hockey, soccer, softball, lacrosse and volleyball.
 - b. A 10 percent reduction in regular-season competition for all sports. *Note: if the Division I Board passes the elimination of non-championship segment competition, credit would be given for non-championship reductions.*
 - c. Eliminating all foreign travel.
 - d. Reduction of:
 - (1) FBS football scholarships from 85 to 80.

- (2) FCS football scholarships from 63 to 60, with 80 overall counters.
 - (3) Men's basketball scholarships from 13 to 12.
 - (4) Women's basketball scholarships from 15 to 13. These scholarships would be reapportioned to other women's sports.
 - (5) In addition, the working group requests that the Committee on Academic Performance (CAP) consider incentives that would allow institutions above a certain APR score to maintain FBS football scholarships at 85, FCS scholarships at 63 (with 85 overall counters), men's basketball scholarships at 13 and women's basketball scholarships at 15.
2. Reviewed proposals regarding limitations on non-coaching personnel. Five proposals related to limitations on non-coaching personnel were discussed. The working group supported a proposal from the Division I-A Athletic Directors Association, which provided for maximum allowable non-coaching personnel for FBS football and men's basketball. The working group directed NCAA staff to work with the DI-A Athletic Directors Association to refine the proposal and to work with FCS institutions to develop a proposal for non-coaching personnel for FCS football.
 3. Proposals for a change to the minimum number of sports required for Division I membership were on the agenda, but were not discussed. This agenda item will carry forward to the December 2 meeting.

Committee on Academic Performance (CAP)



Presentation to Board: October 2011

Chair: Walter Harrison, President
University of Hartford

Vice Chair: Roderick McDavis, President
Ohio University

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Group
Presented to
Board
OCT 26-27

DEVELOPMENTS

With the CAP recommendations now codified in legislation passed by the Division I Board of Directors, information on implementation efforts will now be sent to NCAA membership as a separate document as information becomes available. Such materials will include frequently asked questions, fact sheets, and opportunities to receive/participate in briefings from NCAA staff on the new legislation.

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.

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:
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Group
Presented to
Board
OCT 26-27

DEVELOPMENTS

With the Student-Athlete Well-Being working group's recommendations now codified in legislation passed by the Division I Board of Directors, information on implementation efforts will now be sent to NCAA membership as a separate document as information becomes available. Such materials will include frequently asked questions, fact sheets, and opportunities to receive/participate in briefings from NCAA staff on the new legislation.

EXISTING INFORMATION

The Division I Board of Directors voted on October 27 to adopt legislation implementing the recommendations of the Student-Athlete Well-Being Working Group. The legislation implementing these recommendations is effective August 1, 2012.

FOR FUTURE DISCUSSION

The Board discussed the issues below, and expressed the desire to revisit these issues as early as their January 2012 meeting.

Early Enrollment.

The working group agreed that the practice of early graduation and enrollment in college should receive increased scrutiny to ensure that only qualified students are permitted to engage in the practice. The timing and sequencing of core courses and disproportionate levels of credits earned in a compressed period should disqualify student-athletes from practice and competition until following the normal high

school graduation dates of such individuals. Therefore, the working group supports the Academic Cabinet, the NCAA Eligibility Center and the Committee on Academic Performance in the quest to address these issues. The group is concerned that premature high school graduation for the principal purpose of participating in spring practice for fall sports has both led to academic abuses and otherwise is not in the best interests of NCAA student-athletes.

Initial Eligibility.

The working group supports the Committee on Academic Performance's preliminary views regarding an increase in the GPA and test score requirements to attain full eligibility as a freshman. The group also supports consideration of a category of student-athletes who may qualify for financial aid and practice, but not competition in their initial year in residence.

Minimum Equivalency Awards and Possible Squad Limits by Sport.

The working group will evaluate financial aid awards for 2012-13 in order to determine whether individual financial aid award minimums should be established in sports other than baseball, which has a 25 percent minimum in place. Also, based upon comments expressed by the membership regarding the potential to "stockpile" through use of non-athletics related financial aid, such awards will be monitored in order to determine whether squad limits are appropriate and necessary.