

AGENDA

National Collegiate Athletic Association Division I Board of Directors

Christine Grant Ballroom
NCAA National Office

April 24, 2014
9 a.m. – 2 p.m.

1. Welcome and introductions.
2. NCAA President's report.

NCAA President Mark Emmert will update the Board regarding issues of interest to the Division I membership.

3. Review of proposed Division I governance model. (Supplement No. 1) [**Anticipated action item.**]

President Hatch and Jean Frankel will facilitate Board discussion regarding the governance model put forth by the Board of Directors Steering Committee on Governance. The Board will be asked to approve the model for distribution to conferences for discussion in their upcoming spring/summer meetings.

4. Transition Issues.

The Board will discuss issues (e.g., extension of terms) related to the transition into the new governance structure.

5. NCAA Executive Committee redesign.

The Board will receive an update on possible redesign of the Executive Committee and its role.

General Business Session

1. Report of the Board of Directors January 18, 2014, meeting. (Supplement No. 2) [**Anticipated Action Item.**]

The Board will be asked to approve the report of its January meeting.

2. Report of the NCAA Division I Presidential Advisory Group's (PAG) April 23, 2014, meeting. (Supplement No. 3 will be distributed at the meeting.)

The Board will receive a report of the recent PAG meeting.

3. Decision-making and challenges in the NCAA Academic and Membership Affairs (AMA) regulatory functions.

The Board will receive a report on the current responsibilities and key initiatives of the AMA staff and future challenges in the new governance structure.

4. Update on current NCAA health and safety initiatives.

NCAA chief medical officer will update the Board on current NCAA health and safety initiatives.

5. Report of April 16-17, 2014, NCAA Division I Leadership Council meeting. (Supplement No. 4 to be posted following the Leadership Council meeting.) [**Anticipated Action Item.**]

- *The Board may be asked to adopt legislation that would increase by the number of complimentary admissions permitted for football prospects on an official visit. This proposal will align the number of complimentary admissions with the change to the number of family members permitted to receive a meal during an official visit as adopted by the Board in October 2013.*
- *The Board also may be asked to ratify the Leadership Council's action to approve a recommendation to amend the policies of the NCAA Division I Legislative Council Subcommittee for Legislative Relief (SLR) related to options for relief for transfer waiver requests from specified undergraduate student-athletes.*

6. Report of April 15, 2014, NCAA Division I Legislative Council meeting. (Supplement No. 5 to be posted following the Legislative Council meeting.)

The Board will receive a report of the recent Legislative Council meeting.

7. NCAA Division I Committee on Infractions. (Supplement Nos. 6A and 6B) [**Anticipated Action Item.**]

The Board will be asked to approve minor revisions to the previously approved internal operating procedures of the Division I Committee on Infractions, as well as the appointment of a new chair and vice chair.

8. Government Relations Report. (Supplement No. 7) [No anticipated action – for information only.]

This report is included for the group's information.

9. Other business.

10. Future meeting dates.

- a. Thursday, August 7, 2014, Indianapolis, Indiana.
- b. Thursday, October 30, 2014, Indianapolis, Indiana.
- c. Saturday, January 17, 2015, Washington, DC. (In conjunction with the 2015 NCAA Convention.)
- d. Thursday, April 30, 2105, Indianapolis, Indiana.

11. Adjournment.

DIVISION I BOARD OF DIRECTORS

2013-2014

Nathan Hatch, chair

Subd	Name and Contact Information	Conference Representing	Term Expiration
FBS	Mr. Stan Albrecht President Utah State University 1400 Old Main Hall Logan, Utah 84322 Phone: 435/797-7172 Fax: 435/797-2118 E-mail: Stan.Albrecht@usu.edu	Mountain West Conference	August 2016*
FBS Exec.	Dr. Gene Block Chancellor University of California, Los Angeles 2147 Murphy Hall, Box 951405 Los Angeles, CA 90095-1405 Phone: 310/825-2151 Fax: 310/206-6030 E-mail: gblock@conet.ucla.edu	Pacific-12 Conference	August 2016*
FCS PAG Exec.	Dr. Rita Cheng Chancellor Southern Illinois University at Carbondale 1265 Lincoln Drive Anthony Hall, Room 116 Carbondale, IL 62901-4304 Phone: 618/453-2341 Fax: 618/453-4235 E-mail: rcheng@siu.edu	Missouri Valley Conference	August 2016*
DIV. I PAG Exec.	Dr. Michael Drake Chancellor University of California, Irvine Chancellor's Office Irvine, CA 92697 Phone: 949-824-5111 Fax: 949-824-2087 E-mail: mvdrake5@uci.edu	Big West Conference	August 2016*
FCS PAG	Dr. Philip Hanlon President Dartmouth College 207 Parkhurst Hall, HB 6001 Hanover, New Hampshire 03755 Phone: 603/646-2223 Fax: 603-646-2266 E-mail: Philip.J.Hanlon@Dartmouth.edu	Ivy League	August 2015

Subd	Name and Contact Information	Conference Representing	Term Expiration
FCS Exec PAG	Dr. Patrick Harker President University of Delaware 175 S. College Avenue, 104 Hullihen Hall Newark, Delaware Phone: 302/831-8436 Fax: 302/831-1297 E-mail: harker@udel.edu	Colonial Athletic Association	August 2016
FBS Exec.	Dr. Nathan Hatch President Wake Forest University 1834 Wake Forest Road Winston Salem, NC 27106 Phone: 336/758-5211 Fax: 336-/758-5212 E-mail: hatch@wfu.edu	Atlantic Coast Conference	August 2014*
FBS	Dr. John Hitt President University of Central Florida 400 Central Florida Blvd. Building 39 Orlando, Florida 32816 Phone: 407/823-1823 Fax: 407/823-5293 E-mail: jhitt@ucf.edu	American Athletic Conference Assistant: Shandra Cherepow E-mail: Sandra.cherepow@ucf.edu	August 2017*
DIV I PAG Exec.	Dr. David Hopkins President Wright State University 3640 Colonial Glenn Hwy Dayton, OH 45435 Phone: 937/775-2312 Fax: 937/775-2421 E-mail: David.Hopkins@wright.edu	Horizon League	August 2015*
FBS Exec.	Mr. David Leebron President Rice University President's Office MS-1, P.O. Box 1892 Houston, Texas 77251 Phone: 713/348-5050 Fax: 713/348-5010 E-mail: president@rice.edu	Conference USA	August 2016*

Subd	Name and Contact Information	Conference Representing	Term Expiration
FBS	Dr. Roderick McDavis President Ohio University Cutler Hall 108, 1 Ohio Athens, OH 45701 Phone: 740/593-1804 Fax: 740/593-9196 E-mail: mcdavis@ohio.edu	Mid-American Conference	August 2017*
FBS Exec.	Dr. Horace Mitchell President California State University, Bakersfield 9001 Stockdale Highway Bakersfield, CA 93311 Phone: 661/654-2241 Fax: 661/654-3188 E-Mail: hmitchell@csub.edu	Western Athletic Conference	August 2017*
DIV. I PAG	Dr. Daniel Papp President Kennesaw State University 1000 Chastain Road MD0101, KH, Building 1, Room 5600 Kennesaw, GA 30144 Phone: 770-423-6033 Fax: 770-423-6543 E-mail: dpapp@kennesaw.edu	Atlantic Sun Conference	August 2017*
FBS Exec.	Dr. Harris Pastides President University of South Carolina 206 Osborne Admin. Building 915 Bull Street Columbia, SC 29208 Phone: 803/576-6017 Fax: 803/777-3264 E-mail: pastides@sc.edu	Southeastern Conference	August 2015*
FCS PAG	Dr. Baker Pattillo President Stephen F. Austin State University P.O. Box 6078 Nacogdoches, TX 75962 Phone: 936/468-2201 Fax: 936/468-2202 E-mail: bpattillo@sfasu.edu	Southland Conference	August 2017*

Subd	Name and Contact Information	Conference Representing	Term Expiration
FBS Exec.	Dr. Joseph Savoie President University of Louisiana, Lafayette P. O. Drawer 41008 Lafayette, LA 70506 Phone: 337/482-6203 Fax: 337/482-5194 E-mail: president@louisiana.edu	Sun Belt Conference	August 2017
FBS Exec.	Dr. Kirk Schulz President Kansas State University 110 Anderson Hall Manhattan, Kansas Phone: 785/532-6221 Fax: 785/532-7639 E-mail: kirks@k-state.edu	Big 12 Conference	August 2016*
FBS Exec.	Dr. Lou Anna Simon President Michigan State University 248 Jenson Field House East Lansing, MI 48824 Phone: 517/355-6560 Fax: 517/432-0200 E-mail: laksimon@msu.edu	Big Ten Conference	August 2014*

* Not eligible for reselection.

Note: "Exec." Indicates Board members serving on the Executive Committee.

"PAG" Indicated Board members serving on the Presidential Advisory Group.



Division I Governance Review

April 15, 2014

TO: NCAA Division I Board of Directors.

The Board Steering Committee on Governance submits the following "Draft" governance structure model to the Board for discussion during its April 24 meeting. Following that meeting, the model will be circulated formally to the Division I membership for evaluation and discussion, especially during upcoming conference spring meetings.

Please note that while this model represents the Steering Committee's best judgments at this time, the committee wishes to emphasize that some topics remain under discussion and the committee plans to meet again in June or July to consider membership reactions and comments, and if necessary, to make appropriate modifications to the model. Following all that, we expect to request the Board to adopt the required legislation in August to establish the new structural model and a transition period.

Please note that in the Preliminary Implementation/Transition Strategy section of our report, the committee recommends Board action to extend the terms of the current Board, Executive Committee, council, cabinet and Committee on Academic Performance (CAP) members until January 2015 in order to assist in making an orderly transition to a new structure.

Thank you for your assistance in this important project.

Many thanks,

A handwritten signature in black ink, appearing to read "Nathan".

Nathan O. Hatch
President
Wake Forest University
Chair, Division I Board of Directors
Chair, Steering Committee on Governance

**Division I Steering
Committee on
Governance:
Draft Proposed
Governance System
Redesign**

**Submitted to the Division I
Board of Directors**

April 2014



STEERING COMMITTEE ON GOVERNANCE

Dr. Gene Block; Chancellor, University of California, Los Angeles
Dr. Rita Cheng; Chancellor, Southern Illinois University at Carbondale
Dr. Michael Drake; Chancellor, University of California, Irvine
Dr. David Hopkins, President, Wright State University
Mr. David Leebron; President, Rice University
Dr. Harris Pastides; President, University of South Carolina
Dr. Kirk Schulz; President, Kansas State University
Chair – Dr. Nathan Hatch; President, Wake Forest University

NCAA STAFF

Mark Emmert, NCAA President
Jim Isch, NCAA Chief Operating Officer
Donald Remy, Executive Vice President of Law, Policy and Governance and
Chief Legal Officer
David Berst, NCAA Vice President for Division I
Jackie Campbell, NCAA Director of Division I

IDEAS FOR ACTION, LLC

Jean S. Frankel, President



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Steering Committee on Governance Draft Model –
January 2014

Executive Summary

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Executive Summary

The NCAA Division I Board of Directors Steering Committee on Governance has designed a new governance structure that will enable it to operate in a more nimble and streamlined manner, and to be more responsive to membership needs throughout the division, particularly those of student-athletes.

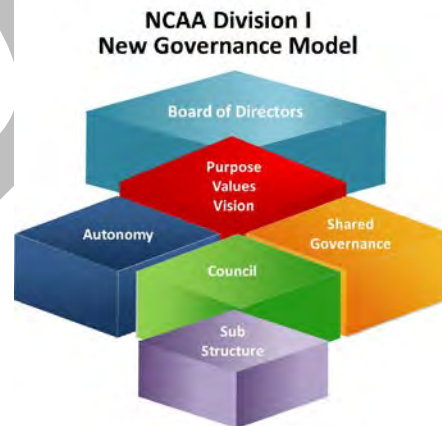
The Steering Committee envisions that significant improvement and alteration to the way Division I is governed can be achieved with the adoption of this model. The proposed model contains elements that range from relatively noncontroversial items to concepts that may be more complex.

Beyond the primarily structural changes proposed by the Steering Committee, it is also envisioned that additional process and culture changes will further enhance the division's ability to meet membership needs and navigate future challenges.

The redesigned Division I governance structure is based on several unifying principles: continued revenue distributions as they currently exist, ensuring the needs of all conferences are addressed regarding championships and continuing to provide the overall benefits of a Division I brand. Division I, with its broad and diverse membership, is an ecosystem, and there is a strong and shared desire to keep that system whole and fully functional.

The proposed change strategy contains five major elements, all revolving around the NCAA's purpose, values and vision:

1. The Board of Directors.
2. The Council.
3. The Council's Substructure.
4. Autonomy System.
5. Shared Governance System.



BOARD OF DIRECTORS.

Regarding size and composition of the Board, the Steering Committee has elected to continue the current Board representation structure, which will provide for 17 positions for presidents/chancellors. The new model adds additional voices to the board room, including a director of athletics, student-athlete, faculty athletics representative, and senior woman administrator, all with voting privileges. Based on member feedback, the Steering Committee chose not to pursue the idea of outside individuals serving on the Board at this time. The Board will transition most of the day-to-day policy and legislative responsibility to the Council, and will instead concentrate its efforts more on oversight and strategic issues.

COUNCIL.

The model also includes a high-level decision-making body called the Council, which includes representatives from all conferences and stewardship by athletics directors. An athletics director (AD), commissioner, senior woman administrator (SWA) or faculty athletics representative (FAR) from each conference would serve on this group, plus the addition of two voting student-athletes and four commissioner seats. The Council (total of 38 members) would be served by a new nominations process, which would ensure an appropriate balance among these groups. The Steering Committee supports a minimum of 60 percent athletics directors on the Council.

COUNCIL SUBSTRUCTURE.

Currently, the Division I system of councils, cabinets and committees includes a myriad of groups, often with significant overlap and/or confusion about roles, responsibilities and accountabilities. One of the key design principles of the new governance system is simplicity in focus and approach. In order to accomplish this, the Steering Committee envisions that there will need to be a major redesign of the “working levels” of Division I, where many members volunteer their time and expertise, and expect a return on investment of that time and a direct link to helping the division accomplish its business.

The Steering Committee, in its work, and in keeping with the philosophy of simplicity and high-level focus, has chosen to designate only three subsets of the Council, two focused on the core missions of Division I – academics and competition/student-athlete well-being, as well as a third focused on assisting the Council in its new legislative role. It is expected that as part of the implementation process, the Council itself will lead the effort to redesign the substructure below that level, ensuring clarity of role, expected outcomes and accountabilities, and clear reporting relationships.

AUTONOMY SYSTEM.

Another major change to the current governance model would be the granting of authority to five conferences [Atlantic Coast Conference (ACC), Big 12 Conference, Big Ten Conference, Pac-12 Conference and Southeastern (SEC)] and their 65-member institutions to adopt rule changes on specific matters affecting the interests of student-athletes. This concept allows the five conferences and their 65-member institutions to act on legislation for the permissive use of resources to benefit student-athletes as well as on certain well-being issues. The legislative process will be transparent and require a supermajority of the 65 institutions within the five conferences to pass legislation. The full Division I Board would have oversight responsibility to interpret and consider additions to the list of “autonomous” legislation. The five-conference members of the Board would be expected to monitor such legislation to ensure that proposed legislation addresses the stated goals related to student-athletes, and does not for example adversely impact fair competition in Division I.

SHARED GOVERNANCE SYSTEM.

Under this model, all conferences will participate in a “shared” legislative process. The Steering Committee believes that areas governed by the Council under shared governance should include matters that require consideration by all 32 conferences, areas of focus that do not fit into the autonomous category, or those related to football. These areas would include championships administration and policy, oversight of membership standards, legislation that requires consideration by all conferences or Football Bowl Subdivision (FBS) or Football Championship Subdivision (FCS) conferences, and management of sports/topic-specific studies intended to formulate recommendations for action by the Council, five conferences and their 65-member institutions or Board of Directors. The new Board of Directors will delegate voting responsibility for shared governance legislation to a 38-member group (Council) representing all conferences. Two student-athlete representatives also will have a vote. Weighted voting would occur with the five conferences and their 65-member institutions being provided approximately 38 to 40 percent of the Council’s total vote.

KEY SHIFTS FROM THE CURRENT TO THE PROPOSED GOVERNANCE MODEL.

Presidential control and oversight will be maintained through the Board’s focus on strategic and higher altitude leadership, and it will shift more operational and legislative issues to the Council to study and resolve. In addition, the five conferences and their 65-member institutions who find themselves in the forefront of public attention and criticism will be authorized to expand their influence and to provide leadership on matters that directly address student-athlete well-being. Student-athlete voice and vote will be emphasized in the new governance model, a concept universally supported by membership comment and discussions. In addition, the athletics director, who is the key athletics practitioner on campus, will be empowered to manage Division I affairs in a manner that furthers the values and principles of intercollegiate athletics and the NCAA.

<p><u>Overview of Current Governance.</u></p> <ul style="list-style-type: none">• Board focused too often on legislative matters.• All of Division I uses one legislative process, but exceptions apply at the Board of Directors level.• Practitioners not fully represented and involved in governance.• Student-athletes not fully represented and involved in governance.• Complex governance system leads to minimal engagement.	<p><u>Overview of New Governance Structure and Steering Committee Recommendations.</u></p> <ul style="list-style-type: none">• Board focused on oversight, policy and strategic issues.• Five conferences and their 65-member institutions granted autonomy in specific areas.• Council primary legislative body.• Practitioners represented and empowered within the governance system.
<p><u>Rationale for Change:</u></p> <ul style="list-style-type: none">• Practitioners need to be more fully represented and engaged in governance.• Decision-making system needs to be streamlined and more responsive to all membership needs.• Five conferences and their 65-member institutions have specific needs to address unique challenges.• Most legislative issues should be resolved in a legislative body in which practitioners play a primary role.	

Introduction

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**NCAA Division I
New Governance Model**



Overview

The NCAA Division I Board of Directors desires a more transparent, responsive, participative and streamlined governance system, and has committed to lead a process for governance redesign that:

- Encourages open, transparent and interactive dialogue.
- Allows for broad and open sharing of ideas and positions; ensuring that all voices are heard and are able to hear each other.
- Engages the voice of practitioners and constituent groups with meaningful opportunities for input.
- Is guided by shared values and vision in the identification of issues as well as outcomes.
- Utilizes effective communication (e.g., top down, bottom up, within constituencies).
- Seeks to build community, consensus and trust.
- Recognizes the unique pressures and challenges faced by the ACC, the Big Ten, the Big 12, the Pac-12 and the SEC, in operating intercollegiate athletics programs that properly balance educational and athletics' interests of student-athletes and institutions in the 21st Century.

At its August 2013 meeting, the Board approved a plan for soliciting, evaluating and acting on a redesigned governance structure for Division I. Board Chair Nathan Hatch appointed a Steering Committee of the Board to guide this effort. The committee approached its work with these parameters in mind:

- Simplicity of structure and process. Clear definitions of roles, responsibilities and lines of communication between and among the various bodies of the governance structure. Ensure that discussions are happening at the right level and involving the right people. Clarity around who will "lead" and who will "operate" the enterprise, and general definitions of the levels at which key decisions are to be made. Maximize the value of existing structures and processes wherever possible, while not being constrained by what exists today.
- Consideration of the need for autonomy in terms of governance and legislative actions. Seek the right balance of unique needs and common self-interest. Determine how decision-making authority can exist in specified areas of governance or legislation (i.e. bylaws) and be provided among subgroups.
- Recognition of the diversity of the membership and the overarching values of higher education in the context of who should populate the various governance bodies and how such individuals should be selected in order to ensure expertise, diverse voices, broad communication and a commitment to serve. Ensure that practitioner knowledge, institutional knowledge and perspectives are embedded within the structure.

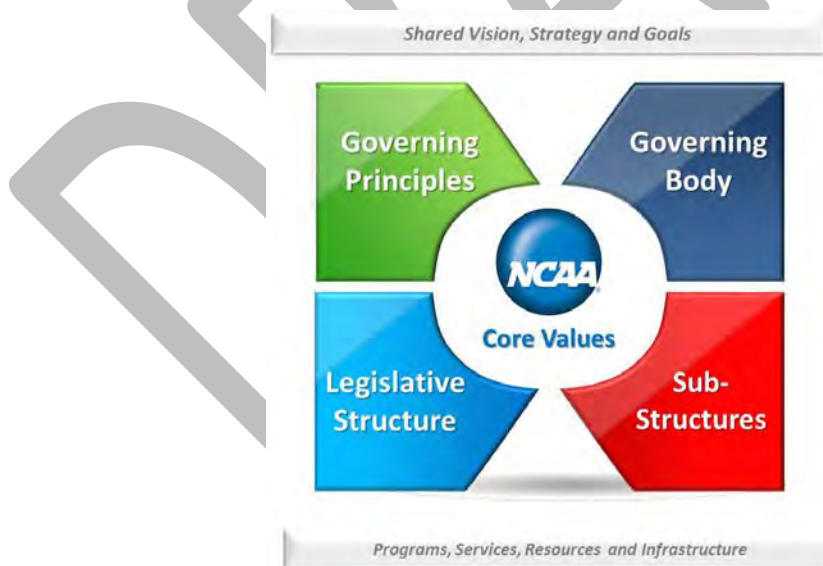
Throughout the fall of 2013 and winter of 2014, the Steering Committee incorporated numerous inputs into its deliberations, including an extensive membership input process, the results of the Division I Governance Dialogue at the January 2014 NCAA Convention, and continuous formal and informal feedback from individuals and groups across the Division I membership and beyond. In gathering membership input and sorting through choices and options, the Steering Committee addressed these key questions:

- What is the best structure to serve the broad variety of Division I membership needs and deliver value to all sub-segments of the membership?

- Can one governance body or structure serve the broad range of Division I institutions, or are multiple governing bodies or structures needed to accommodate the programs that now comprise the division (e.g. different rules and championships)?
- How should the Division I Board be structured and how should it function?
- What other structures should exist to support the Board’s work? What kinds of substructures, including committees, councils, cabinets and other entities would best enable the Division I Board to carry out its function?
- How can the work of those varying groups’ best be coordinated and how can those groups be assured that their work and input are meaningful?

As the Steering Committee began in November 2013 to determine the answers to these questions, it utilized generic concepts representing components of effective governance systems. An effective governance system has the following four components:

- Governing Principles – the ideas and concepts around which the model is designed and operated.
- Governing Body – the nature of the top-level Division I governing body – the Board, including size, composition, role and focus.
- Substructures – the high-level working bodies of the division, where decision-making that assists the Board with its work occurs. This discussion includes, size, composition, role and focus of the supporting structures.
- Legislative Structure – legislated agreements about weighted voting, autonomy and shared governance across Division I, specified by subdivision as appropriate.



A governance system also must work effectively with shared vision, strategy and goals, as well as supporting programs, services and infrastructure, which will be the focus of future Division I membership conversations.

The Steering Committee presented a draft to the membership in January 2014, and a two-day Governance Dialogue provided the Steering Committee with extensive membership feedback.

Following the January Convention, the Steering Committee met several more times to refine its thinking, and this document represents the committee's first draft of a full formal proposal for a new Division I governance system. It is intended that the Division I Board provide feedback during the April 2014 Board meeting, and to serve as a basis for membership dialogue and input during the spring 2014 conference meeting cycle. The Steering Committee will then refine the model based on member feedback, and present its final version to the Division I Board in August 2014, when the Board is expected to vote on the proposal as a whole.

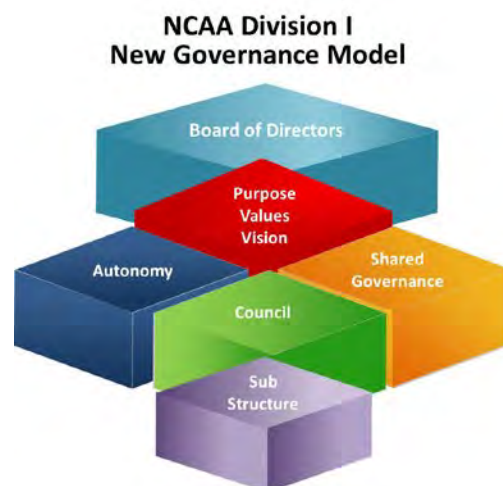
Every aspect of the new governance model is founded upon this information. Also considered in the development of the model were best practices intended to help membership associations respond effectively to the rapidly evolving changes in higher education, intercollegiate athletics and American society in general.

This proposed model contains six major elements. The Executive Summary section provided an introduction to the recommendations. The body of the report expands on those concepts in each of the six elements, and the Appendix provides supporting data and historical information from the Division I governance review process.

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NCAA Core Ideology - Purpose, Values and Vision

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NCAA Core Ideology - Purpose, Values and Vision (2004)

“The complexity of intercollegiate athletics has increased enormously over the past decade.... As our enterprise continues to evolve, we have a clear responsibility to maintain focus on our historic values and to ensure that our Association continues to advance in the right direction...NCAA – the member schools, conferences and the national office staff – have an absolute obligation to make certain that intercollegiate athletics is successfully woven into the fabric of higher education. That key principle is stated clearly in the core purpose of this plan. It is the foundation upon which our enterprise rests. It is our future.”

- NCAA Executive Committee- 2004

The most successful membership organizations have discovered that governance redesign works most effectively when it is based on a core ideology of shared purpose, values and vision. The comments above are excerpted from a 2004 NCAA Executive Committee message accompanying the Association-wide strategic plan that was developed that year.

Ten years later, Division I leadership reaffirms that 2004 NCAA Core Ideology - purpose, values and vision, and the Steering Committee has based its governance restructure upon these principles, which continue to serve as a foundation for change.

Purpose.

- The NCAA’s purpose is to govern competition in a fair, safe, equitable and sportsmanlike manner, and to integrate intercollegiate athletics into higher education so that the educational experience of the student-athlete is paramount.

Values.

The Association – through its member institutions, conferences and national office staff – shares a belief in and commitment to:

- The collegiate model of athletics in which students participate as an avocation, balancing their academic, social and athletics experiences.
- The highest levels of integrity and sportsmanship.
- The pursuit of excellence in both academics and athletics.
- The supporting role that intercollegiate athletics plays in the higher education mission and in enhancing the sense of community and strengthening the identity of member institutions.
- An inclusive culture that fosters equitable participation for student-athletes and career opportunities for coaches and administrators from diverse backgrounds.
- Respect for institutional differences and the appropriate way they manifest themselves in intercollegiate athletics.
- Presidential leadership of intercollegiate athletics at the campus, conference and national levels.

Vision.

- Intercollegiate athletics will be understood as a valued enhancement to a quality higher education experience.
- Student-athletes will achieve academic success and be better prepared to achieve their potential because they have participated in intercollegiate athletics. They will regard athletics endeavors as a valued part of their undergraduate education.

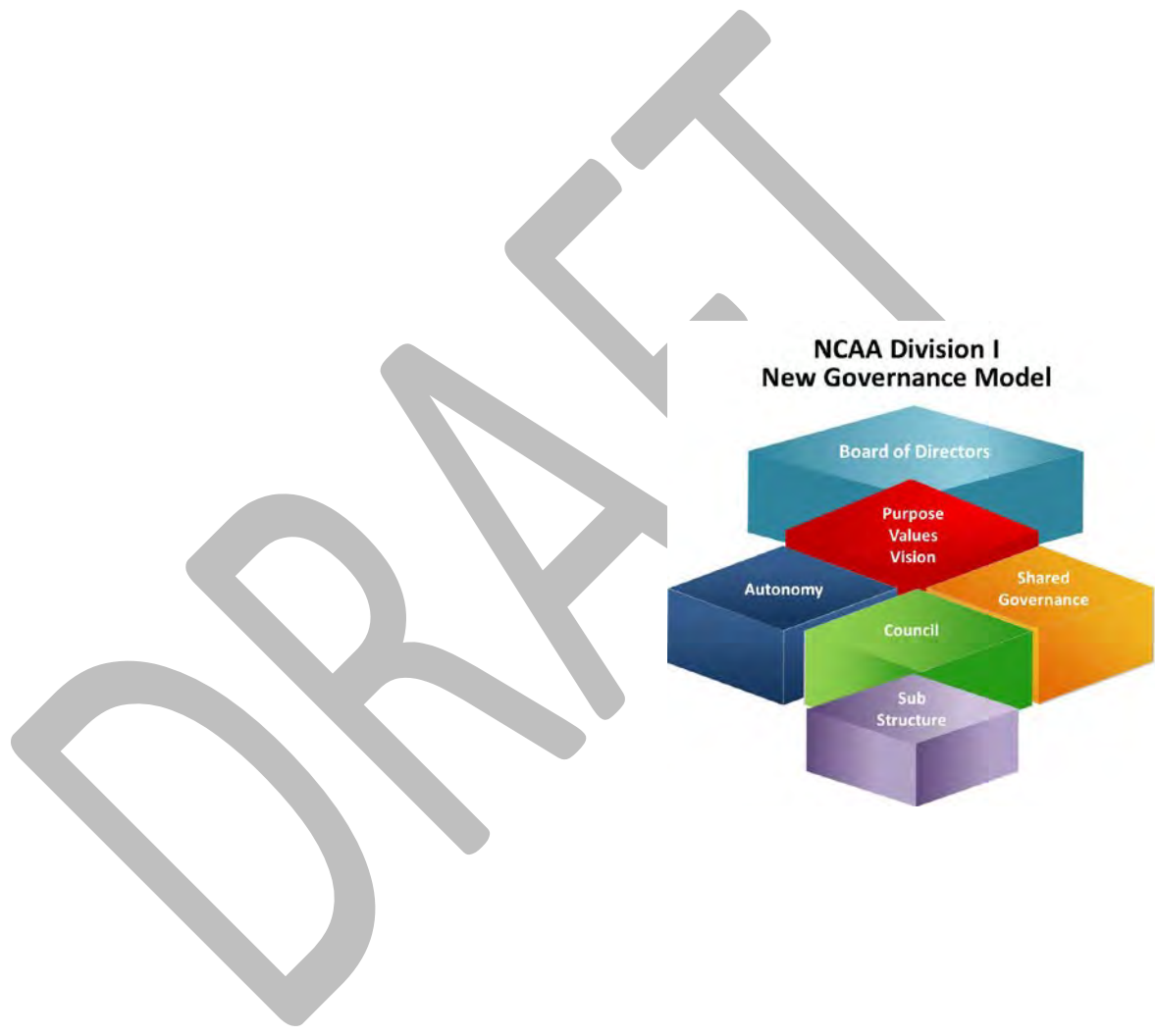
- Chief executive officers of member institutions will lead intercollegiate athletics at campus, conference and national levels.
- Members will view their Association as an essential partner in governing intercollegiate competition and enhancing the integration of academics and athletics.
- Intercollegiate athletics will be perceived by Association members and the public as complementary to higher education. Academic success among student-athletes will enable the Association and its members to positively influence the perception of college sports.
- Individuals at all levels of intercollegiate athletics will be accountable to the highest standards of behavior.
- The public will view the Association as a trusted organization, and wholly support its purpose and practices.

Additionally, the Steering Committee articulated a number of governing principles to guide its work, based in large part on the timeless concepts contained in the 2004 core ideology.

Division I Governing Principles.

- Student-Athlete Well-Being. Intercollegiate athletics must ensure and improve student-athlete well-being, which includes the ability to increase opportunities for student-athletes.
- Collegiate Model. We remain committed to the collegiate model of intercollegiate athletics, which melds athletic opportunities with a holistic educational experience, enabling our student-athletes to be successful in the classroom, within their sport, in their community and post-graduation.
- Higher Education Focus. Intercollegiate athletics is a component of the educational enterprise and must complement and align with the values of higher education. Ensure intercollegiate athletics remains a positive contributing factor within the higher education model.
- Academic Rigor. Intercollegiate athletics must ensure an appropriate level of academic rigor and commitment for all student-athletes that will enable them to be educated, to graduate and to be successful in their chosen careers.
- Responsiveness. The rules and governance structure must provide sufficient flexibility to address the ever-changing cultural, fiscal and educational landscapes that impact intercollegiate athletics.
- Widespread Competitive Opportunity. Ensure widespread opportunity and fair competition, recognizing that schools differ in a variety of ways, including geography, size and resources.
- Presidential Control and Oversight with Greater Practitioner Engagement and Consultation. The new governance system should have effective oversight by presidents. Primary legislative responsibility should include directors of athletics, faculty athletics representatives and other practitioners, either through Board standing committees or more effective substructures.
- Competency-Based Approach. Encompassing a mix of representation, diversity, talent, and commitment, accessing leaders across the profession and encouraging them to serve.
- Increased Collaboration, Less Hierarchy. Move from the relatively hierarchical structure that exists today to a more collaborative structure, process and culture. Break down hierarchies and silos, and encourage dialogue, communication and shared understanding across the division and among constituent groups.

Board of Directors



**NCAA Division I
New Governance Model**



Role of the Board of Directors.

The Board of Directors will serve as the overall governing body for Division I, with responsibility for strategy, policy, legislative oversight and management oversight. These areas are defined as follows:

- **Strategy Oversight:** The Board will address future issues, challenges, opportunities and outcomes, focusing on strategic topics in intercollegiate athletics and its relationship to higher education.
- **Policy:** The Board will review and set parameters that guide and determine present and future decisions, embracing general goals and acceptable procedures. This will be designed to empower membership and staff workgroups who oversee day-to-day operations and rule-making functions.
- **Legislative Oversight:** Most legislative authority will be delegated to the Council, but the Board will retain the responsibility of monitoring legislation to assure it doesn't conflict with basic policies and strategic goals. A subcommittee of the Board will assess compliance with guiding principles.
- **Management Oversight:** The Board will partner with NCAA staff to determine how the Association can best serve the membership.

Size and Composition of Board of Directors.

The Board of Directors structure will be similar to the current representation structure, which includes 17 positions for presidents/chancellors (10 FBS, four FCS and three Division I) and four ex-officio, voting members -- one director of athletics, one faculty athletics representative, one senior woman administrator and one student-athlete.

Ex-officio members are afforded the same rights as other Board members, including debate, making formal motions and voting.

Presidents on the Board will retain the right to meet in limited circumstances in president-only executive session when necessary and appropriate.

Board Standing Committees.

The Division I Board will work as a committee of the whole to address important issues, but the addition of a well-designed Board standing committee structure that enables the Board to divide its governing work into manageable pieces on which members of the Board can focus serious attention will serve as a powerful engine for carrying out the governing work of the Board.. Board standing committees will exist for major areas of accountability in the functioning of Division I, such as finance, governance, public relations/communications and nominations. Other standing committees may be formed, and the Board also will have the option of creating ad-hoc groups to deal with specific and significant issues as they arise.

KEY SHIFTS FROM THE CURRENT TO THE PROPOSED BOARD OF DIRECTORS

Current:	New:
<ul style="list-style-type: none">• 18 total. All presidents and chancellors—11 FBS conference members; seven from among FCS and Division I conferences• Duties included substantial oversight of legislation and process and ability to adopt legislation at any meeting.	<ul style="list-style-type: none">• 21 total. 17 presidents and chancellors (10 FBS conference members; four from FCS conferences and three from Division I conferences, as well four additional ex-officio, voting members); one athletics director (chair of new Council); one student-athlete (chair of Student Athlete

<ul style="list-style-type: none"> • No student-athlete voice. • No athletics director voice. • No faculty representative voice. 	<p>Advisory Committee), one faculty athletics representative (highest ranking Division I member of the Faculty Athletic Representatives Association’s Executive Committee), and one senior woman administrator [highest ranking Division I member – the National Association of Collegiate Women Athletics Administrators (NACWAA)].</p> <ul style="list-style-type: none"> • No change in four-year terms, appointed by conferences (rotation of FCS and DI conferences) with staggered terms for continuity. • Ability to sponsor legislation, and to act to ratify legislation concerning academic standards, but may overrule other legislation passed by the Council upon a showing of extraordinary adverse impact on the Division I membership. • Board standing committees will provide oversight in areas related to governance, management of staff, finance, Division I membership, public affairs and academics, as well as others as necessary. • Act to monitor and interpret when necessary the nature of autonomous legislation proposed by the five-conference group. • Authority to conduct presidents-only executive session when necessary and appropriate.
<p>Rationale:</p> <ul style="list-style-type: none"> • The current Board recognizes that time spent on operational legislation and issues detract from its ability to provide more strategic vision and leadership to the division. • Student-athlete voice and vote is strongly supported by the membership. • The Steering Committee believes that athletics directors should have a greater responsibility in the new structure to provide guidance and leadership, a faculty voice offers a centering influence for athletics practitioners and athletes, and a senior woman administrator ensures that their valuable experience and influence on the leadership team on every campus is included in leadership at the highest level of Division I. • The presence of representatives of four key constituencies on the Board and Council ensures that any debates or actions affecting them are fully reflected in Board discussions. • The five-conference members of the Board, along with its 16 other members, should provide oversight (interpretations or action to modify the list of autonomous topics) for the autonomous legislative process implemented by the ACC, Big Ten, Big 12, Pac-12 and SEC conferences and their 65-member institutions. 	

Annual President's Meeting.

In the current governance structure, the Presidential Advisory Group (PAG), a 22-member group of presidents and chancellors, is appointed by each Football Championship Subdivision and Division I conference. The group meets in-person in April and October and by teleconference in January and August. It includes seven members of the Division I Board of Directors, and meetings of PAG are designed to offer advice and reaction regarding Board agendas to its members who serve on the Board for consideration during Board of Directors' meetings.

The Steering Committee understands that the PAG favored a move from a strictly representative Board composition to a smaller Board with equal voting, that would be advised through an annual meeting of the Board and presidential representatives from the 15 conferences not serving on the Board. Current PAG members recommended this annual, presidential planning session as a more meaningful opportunity to assist the Board of Directors and to influence the Division I agenda and initiatives.

While the Steering Committee did not support having a smaller Board, they did agree that an annual joint meeting of presidents from all Division I conferences and the Board would serve the division well. The Steering Committee embraces the notion of an annual meeting that would include a president/chancellor from each conference and the Board of Directors, for the purpose of engaging all conferences directly in agenda-setting and Division I strategy discussions.

The new Board of Directors intends to be more strategic and policy driven in its leadership of Division I. Therefore, the current Presidential Advisory Group (PAG) noted that full representation of conferences on the new Board would not be necessary. However, since the Board will not be reduced in size, PAG members recognize the value of continuing to meet periodically in its current form.

Council

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Council.

The Steering Committee proposes that the Council have primary responsibility for Division I legislation and include representation from all 32 conferences. The Steering Committee recommends that the Council includes athletics directors (AD), senior woman administrators (SWA), faculty athletics representatives (FAR), commissioners and student-athletes. The Council will have a total of 38 members, including one representative from each of the 32 conferences, two student-athletes and four commissioners (one from the five autonomy conferences, one from the five remaining Football Bowl Subdivision conferences, one from the Football Championship Subdivision conferences and one from the Division I conferences). Each conference would nominate three candidates to serve on the Council, with the final appointments being made by the Board of Directors through a formal selection process. Nominees could include ADs, FARs, SWAs, commissioners, compliance administrators and other senior level administrators.

The Steering Committee notes the importance of athletics directors’ involvement, which mirrors the role generally played by athletics directors at member institutions, and believes a minimum of 60 percent athletics directors should serve on the Council, and recommends that an athletics director serve as the chair.

KEY SHIFTS FROM THE CURRENT MODEL TO THE PROPOSED COUNCIL

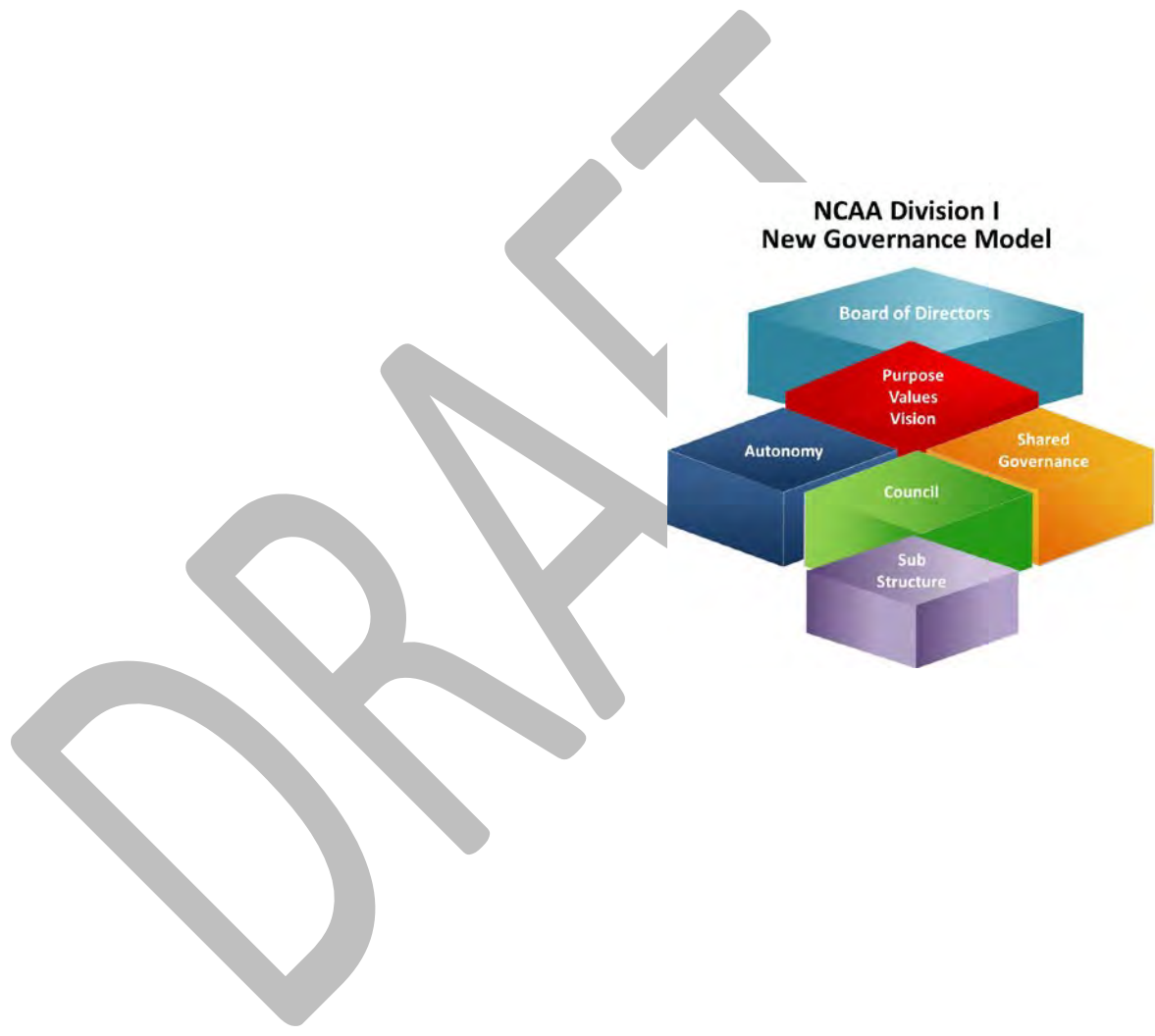
Council:	
<ul style="list-style-type: none">• 32-member Leadership and Legislative Councils now serve to provide advice to the Board of Directors and consider policy issues and legislative proposals in Division I.• A 32-member Championships/Sports Management Cabinet serves to manage NCAA championships with the exception of men’s and women’s basketball.• Sports, rules, issues, Olympic Sports Liaison and Competitive Safeguards and Medical Aspects of Sports committees report to it.	<ul style="list-style-type: none">• A 38-member Council will be appointed by the Board of Directors and shall recommend policies to the Board, supervise and act on championships recommendations and issues, and vote as a whole or by appropriate subgroup on all “shared” governance and football legislation.• Each of the 32 Division I conferences will be represented and two student-athletes (one male and one female) will be included as voting members.• At least 60 percent of the Council shall be athletics directors• Competency will be emphasized and the Board will be responsible to ensure reasonable diversity of perspectives when appointing Council members.• Voting on the Council shall be weighted on matters other than football as follows: representatives from the ACC, Big Ten, Big 12, Pac-12 and SEC will be weighted 1x4; Representatives from the American Athletic Conference, Conference USA (C-USA), Mid-American Conference (MAC), Mountain West Conference and Sun Belt Conference will be weighted 1x2, and the remaining 22 conferences and two student-athletes will be

	<p>weighted 1x1. Commissioner members will be weighted according to the conference they represent.</p> <ul style="list-style-type: none"> • Voting on football legislation shall be considered by FBS and FCS conferences separately. For FBS legislation, the ACC, Big Ten, Big 12, Pac-12 and SEC members will be weighted 1x2. American Athletic Conference, Conference USA, Mid-American Conference, Mountain West Conference and Sun Belt Conference members will be weighted 1x1. FCS voting will be considered without weighted voting. • The current councils and cabinets will be disbanded and the new Council will be authorized to recommend other necessary standing bodies for Board ratification, as well as to appoint temporary sub-bodies as needed to conduct its work efficiently. • The sports committee structure will continue in the new structure, but a review of size, regions and responsibilities should be conducted in the first year of the new structure. • Committees associated with the sports of football and basketball should be consolidated or coordinated for clarity of purpose and efficiency the first year of the new governance structure.
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Rationale:

- The Board of Directors believes that athletics directors have primary responsibility for intercollegiate athletics programs on campus and should be in the best position to assist presidents in considering athletics issues of national importance on behalf of Division I.
- The Board of Directors believes that student-athletes, faculty athletics representatives and senior woman administrators also have important voices that should be considered along with votes in the conduct of intercollegiate athletics matters.
- A nominations process should be used to evaluate competency and diversity of potential Council members.
- The Board of Directors does not support providing a majority vote on shared governance matters to the ACC, Big Ten, Big 12, Pac-12 and SEC, but does believe these conferences have a heightened stake in outcomes as reflected in the recommended weighted voting on rules and policy matters facing intercollegiate athletics.
- The Board of Directors intends to simplify and streamline the council/cabinet/committee structure and will rely on the new Council to provide advice and counsel in these efforts.

Council Substructure



Council Substructure.

Currently, the Division I system of cabinets and committees includes a myriad of groups, often with significant overlap and/or confusion about roles, responsibilities and accountabilities. One of the key design principles of the new governance system is simplicity in focus and approach. In order to accomplish this, the Steering Committee envisions a major redesign of the “working levels” of Division I; those in which many members volunteer their time and expertise, and expect a return on investment of that time and a direct link to helping the division accomplish its business.

The Steering Committee, in keeping with the philosophy of simplicity and high-level focus, has chosen to designate only three subsets of the Council, two focused on the core missions of Division I – academics and championships, and a third focused on assisting the Council in its new legislative role.

It is expected that as part of the implementation process, the Council itself will lead the effort to redesign the substructure below that level, ensuring clarity of role, expected outcomes and accountabilities, and clear reporting relationships.

KEY SHIFTS FROM THE CURRENT TO THE PROPOSED COUNCIL SUBSTRUCTURE

Subcouncil.	
Current	New
<ul style="list-style-type: none"> Six cabinets: Championships/Sports Management (32 members); Academic (21 members); Administration (21); Amateurism (21 members); Awards, Benefits, Expenses and Financial Aid (21 members) and Recruiting and Athletics Personnel Issues (21 members) report to the Legislative Council to propose legislation and to the Leadership Council regarding policy evaluation. 	<ul style="list-style-type: none"> The 38-member Council will be the principal voting body in Division I regarding matters in shared governance and football via FBS or FCS members; will act on matters previously assigned to cabinets and may use subcommittees of its members or may empanel additional institutional or conference representatives to address matters and issues that come before it, or as delegated by the Board of Directors. The Council shall be authorized to appoint sub-Council standing committees of no more than 21 members (mirroring the Board structure) to make appropriate recommendations to the Council for actions regarding championships, legislation, student-athlete well-being, Division I membership, or other areas vital to the conduct of Division I affairs. Current Association-wide, common, Division I, sports, rules and waiver committees will report to the Council through the appropriate Council sub- or standing committee. Issues committees will be disbanded and duties assigned to those bodies will be absorbed by the appropriate sports

	<p>committee and sub-Council body.</p> <ul style="list-style-type: none"> The Council may recommend changes of the sub-Council structure to the Board of Directors.
<p>Rationale:</p> <ul style="list-style-type: none"> The Board of Directors believes that the new Council, populated by a majority of athletics directors, is best suited to manage the day-to-day operations and policies of Division I. The Board of Directors believes the Council itself should lead in the development of necessary membership bodies to complete its work efficiently, but in a manner that reduces confusion and bureaucracy. 	

Academic Council.

The Steering Committee identified the need in the Council’s substructure for an Academic Council to handle the combined work of the current Division I Academic Cabinet and Committee on Academic Performance (CAP), as these two groups at present have overlapping missions. It also noted the importance of this group’s work and proposes that it should have a dual reporting line to the Board for academic standards and policy-related issues, and to the Council for legislative proposals.

The Steering Committee further suggests that the Board should retain the ability to involve itself in academically-related legislative issues. The Steering Committee suggested that the Board name the chair of the Academic Council and that an annual report be provided to the Board regarding the state of academic affairs.

KEY SHIFTS FROM THE CURRENT TO THE PROPOSED ACADEMIC COUNCIL

Academic Council.	
<p>Current.</p> <ul style="list-style-type: none"> An Academic Cabinet of 21 members who are appointed by conferences review and consider academically related issues and legislation in Division I. Several waiver committees report to the cabinet. The Committee on Academic Performance is a 15-member group that reports to the Board of Directors and is in charge of data collection, analysis and implementation of the Academic Performance Program and its appeals processes. On some occasions, the Board of Directors has acted to adopt legislation related to academic reform initiatives outside the expected Division I legislative process. 	<p>New.</p> <ul style="list-style-type: none"> The Academic Council should include 15-20 individuals and be assigned the duties of the current CAP and Academic Cabinet. The Academic Council will continue to have direct reporting access to the Board of Directors. The Board may sponsor legislation to be considered in the new “shared” governance process and will be responsible to ratify or amend Council actions on legislative proposals related to academics before they may be considered adopted. Any legislative action would be subject to rescission by two-thirds of Division I active member institutions.
<p>Rationale:</p> <ul style="list-style-type: none"> Both the Academic Cabinet and the CAP have recognized the awkward governance structure related to consideration of academic matters. 	

- Centralizing the various academic appeals reporting lines should enhance consistency.
- The Board of Directors believes that presidential leadership regarding academic matters is essential.

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Autonomy

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**NCAA Division I
New Governance Model**



A SYSTEM OF AUTONOMY FOR 65 MEMBER INSTITUTIONS.

The 65-member institutions of five conferences (ACC, Big Ten, Big 12, Pac-12, SEC), along with all other Division I members, envision an effective intercollegiate athletics system that fully meets the needs and expectations of student-athletes in the 21st century.

The 65-member institutions are committed to meeting the needs of student-athletes based on increased resources, and they desire to provide student-athletes with enhanced benefits such as full cost of attendance, lifelong learning and additional health and nutritional benefits. In addition, they desire to support student-athletes who are considering careers as professional athletes by providing more opportunities for that decision-making process to occur in a fair and fully informed manner. These institutions are further challenged in addressing these needs by an increasingly litigious environment and confused public sentiment. They face the most public comment and criticism of all Division I institutions and conferences, often from advocates for pay-for-play or a professional athletics system for colleges and universities.

These 65-member institutions have repeatedly declared their unwavering belief in a collegiate model that maintains education as the bedrock principle. They also believe that the use of increasing resources devoted to student-athletes should ensure that the legitimate educational, health, safety and athletics needs of student-athletes remains paramount, and that the spirit of the collegiate model and principles of amateurism remain applicable and valued by all 1,100 NCAA member institutions and 460,000 student-athletes. They accept that they have a responsibility to lead in these areas through the granting of an autonomous system of decision-making in key areas directly affecting student-athlete well-being.

As part of the new Division I governance model, the Steering Committee proposes a system of autonomous decision-making for these institutions, designed to address these unique challenges. The concept of the autonomy system means that institutions in these conferences would be afforded independent decision-making authority on specified issues, through a decision-making process intended to ensure full institutional participation among the 65-member institutions, as well as the opportunity for input and similar action from the broader Division I membership.

These five conferences and their 65-member institutions are fully committed to shared governance within Division I in other areas, including academics. They have provided input to the Steering Committee on the design of this unique system, which seeks to reaffirm their focus on educational outcomes, and to ensure public trust in the overall intercollegiate athletics system.

GUIDING PRINCIPLES FOR THE AUTONOMY SYSTEM.

This autonomy system has been designed to serve specific high-level principles. At the highest level, the system will allow these 65-member institutions to lead in the creation of the optimal student-athlete experience based on available resources. Moreover, the system will improve the trust and relationships between and among institutions and student-athletes. In light of the above, the autonomy system will achieve the following:

1. Engage and empower institutions and practitioners in a fully transparent decision-making process.
2. Engage and empower student-athletes by giving them both a voice and vote within a transparent decision-making process.

3. Ensure that regulatory change in these areas enjoys broad support among the 65-member institutions of these conferences.

The Steering Committee believes that the proposed autonomy system effectively addresses these principles, and is well-aligned with the student-athlete centered spirit reflected in the NCAA core ideology and revised Division I governance model.

Areas of Autonomy Granted to 65-Member Institutions in Five Conferences

The Steering Committee recommends that autonomous decision-making be granted to the ACC, Big 12, Big Ten, Pac-12 and the SEC, and their 65-member institutions. This autonomy is intended to apply to legislation that is either:

- **Permissive legislation** – Designed to allow permissive use of resources by any member to advance the legitimate educational or athletics-related needs of student-athletes. Under this proposed governance model, permissive legislation that is developed and adopted among these institutions and conferences may also be adopted by the rest of Division I at each institution's respective discretion, or as determined by its conference.

Or

- **Actionable legislation** – Adopted and applied to the 65-member institutions to modify specified rules in a manner that enhances the student-athlete experience, or decreases athletics time demands or other burdens of student-athletes. These legislative changes that address student-athlete interests or experience will apply only to the five conferences and their 65-member institutions, although Division I members generally would be free to address the same or similar issues through legislation considered by the new Council – on any "actionable" item, the 27 other conferences will have the option to adopt at the next Council meeting (instead of waiting for a full legislative cycle), through a nonweighted vote of the 27, rather than a vote of the full Council.

Health and Wellness.

The five conferences and their 65-member institutions support the shared Division I commitment to meet the health and safety needs of student-athletes. Support in these schools and conferences is inclusive of research and the ability to review, maintain or update current health care and medical policies, insurance options and other related items to permit appropriate and sufficient care to be provided to student-athletes. While the ability to provide comprehensive medical support for student-athletes is currently permissive in nature, the five conferences and their 65-member institutions will have autonomy in this area to maintain the current institutional freedom to support student-athletes' needs, and the responsibility to lead on these issues, providing the opportunity for all Division I members to follow and act in a manner appropriate to their schools, teams and resources.

(NCAA Bylaw 16.4)—Permissive).

Meals and Nutrition.

Nutritional demands for student-athletes vary by sport, timing of the playing season and individual needs, which merits new approaches to decision-making and regulation of this area. Under the proposed system, the five conferences will have the autonomy to define a set of rules that address the specific needs of their member institutions and student-athletes within those institutions.

(NCAA Bylaw 16.5)--Permissive)

Financial Aid.

Under the proposed system, the five conferences and their 65-member institutions will have the flexibility to revise the financial aid rules to increase the aid available to student-athletes in a way that is consistent with basic principles of amateurism and the collegiate model. The conferences will be granted flexibility to increase the maximum grant-in-aid (up to an amount commensurate with the full cost of attendance), as well as the ability to provide scholarships that will allow former student-athletes to complete their undergraduate education in appropriate circumstances.

(NCAA Bylaws 15.01.5-15.2.8.2—Permissive)

This will include rules related to the terms and conditions of awarding aid (e.g., eligibility for aid, period of award, reduction or cancellation, renewals or non-renewals), as the terms and conditions of awarding aid directly impact the student-athlete experience and the ability of each student-athlete to achieve their educational goals.

(NCAA Bylaws 15.3-15.3.5.2—Actionable)

Expenses and Benefits (Student-Athlete Support).

The Steering Committee believes that the five conferences and their 65-member institutions are committed, in a manner consistent with the basic principles of amateurism and the collegiate model, to enhancing the support provided to student-athletes to meet legitimate needs. The proposed model grants autonomy to these institutions over rules such as awards and benefits, and those that have a direct impact on expenses incurred by a student-athlete and his/her family and friends that are associated with the competitive experience. Examples include, but are not limited to, expenses for receipt of awards, complimentary admissions, postseason travel for friends and family, expenses incidental to practice (e.g., parking), and other expenses in conjunction with practice and competition.

(NCAA Bylaw 16—Permissive)

Expenses and Benefits (Pre-Enrollment Support).

In the proposed model, the five conferences and their 65-member institutions also would be granted autonomy over regulations addressing expenses and benefits provided prior to enrollment. These rules directly impact student-athlete welfare by permitting assistance to families who would like to visit universities, and who incur other legitimate expenses in connection with the recruiting process. Benefits in this area have the potential to ease a student-athlete's transition to college (e.g., medical expenses and academic support the summer prior to enrollment, transportation to enroll). Funding such pre-enrollment expenses would provide important support for student-athletes as they evaluate colleges and transition to the college environment.

(NCAA Bylaw 13.2—Actionable)

Insurance and Career Transition.

The potential future professional athletics opportunities available to some student-athletes, who are disproportionately enrolled at the five conference's 65-member institutions, provide the basis for granting autonomy in rules permitting student-athletes flexibility in securing loans to purchase career-related insurance products (e.g., loss-of-value insurance), or to permit institutions to provide these insurance-related expenses for student-athletes. The Steering Committee and the five

conferences and their 65-member institutions believe such loans are fully consistent with the principles of amateurism and the collegiate model that we want to preserve.

In the area of career transition, the five conferences and their 65-member institutions would be granted autonomy to redefine rules governing agents and advisors so that more assistance could be provided to student-athletes with career planning and decision-making.

(NCAA Bylaws 12.2 and 12.3—Permissive)

Career Pursuits.

In order to fully support student-athletes and their aspirations, the five conferences and their 65-member institutions would be granted autonomy to make changes to rules that hinder a student-athlete's career pursuits unrelated to athletics (e.g., restrictions on a student-athlete promoting his or her musical career). Again, it is believed that these modifications can be made without violating basic principles of amateurism and the collegiate model.

(NCAA Bylaw 16—Permissive)

Time Demands.

Given the visibility and demands associated with meeting expectations existing for highly-competitive intercollegiate athletics programs, the five conferences and their 65-member institutions would be granted autonomy to update rules and policies governing time demands in order to permit a more appropriate balance between athletics and other student-athlete activities. This updated approach is intended to reconstruct the time boundaries associated with student-athletes' commitment to intercollegiate athletics. In addition, design and implementation of "athletic dead periods" for student-athletes would be intended to foster their participation in educational opportunities outside of intercollegiate athletics.

(NCAA Bylaw 17—Actionable)

Eligibility.

The five conferences and their 65-member institutions have not specifically requested academic eligibility requirements as an area for autonomous decision making, and are committed to the Division I shared governance rules in this area. However, attention associated with transfers falls disproportionately to the five conferences and their 65-member institutions, which under the new system would be granted autonomy to modify transfer policies that would provide appropriate flexibility for unique circumstances to address the best interests of student-athletes. Any changes to transfer policy will only be within the five conferences and their 65-member institutions and will not affect other schools and conferences without their approval.

(NCAA Bylaw 14.5.—Actionable)

Academic Support.

The provision of academic support is currently considered "permissive," but the five conferences and their 65-member institutions would be granted autonomy in this area in order to insure the ability to continue their support for student-athletes. The needs of academically at-risk student-athletes are of particular concern and will be fully reviewed, with the potential for revisions to be introduced to further the educational achievement of student-athletes.

(NCAA Bylaw 15.01.5--Permissive)

Recruiting.

The five conferences and their 65-member institutions would be granted autonomy to revise and establish rules as necessary to address concerns related to the infringement of recruiting activities on prospective student-athletes' academic preparation.

(NCAA Bylaw 13.1—Actionable)

Personnel.

Numerous issues, including proliferation of non-coaching personnel, varying titles associated with certain coaching positions, and the breadth of approach to personnel issues present in Division I, combine to establish the need for the five conferences and their 65-member institutions to be granted autonomy to both revise existing personnel definitions and limits, and to establish policies intended to meet the support needs of teams while properly structuring the number of personnel directly or indirectly associated with each sport in a manner consistent with the need for competitive balance.

(NCAA Bylaw 11.7—Actionable)

Autonomy Voting Process.

The Steering Committee recommends the following voting process for issues included in the areas of autonomy. The vote should be of presidents or a designee on behalf of each of the 65-member institutions. Further, the Steering Committee believes that the entire Division I membership should have the opportunity to provide input.

Autonomy Defined: Autonomy allocated to the five conferences (ACC, Big 10, Big 12, Pac 12, SEC) and their 65-member institutions within the NCAA Division I governance structure shall mean the five conferences and their 65-member institutions are afforded independent decision-making authority through a process intended to ensure institutional participation, which results in final decisions on specified matters (i.e., autonomous Issues). Any process associated with adoption of rules will include prior consultation with other members of Division I.

Vision: Inherent in the autonomy system is a vision and commitment to define the full grant-in-aid as meeting a student-athlete's full cost of attendance, and the provision of a lifetime opportunity to fund the undergraduate education of current and former student-athletes. The ability to provide these student-athlete benefits shall be identified within an initial Agenda for Change and shall be addressed during the first business session of the five conferences and their 65-member institutions in 2015.

Enfranchised Decision-Making: The five conferences' decision-making process is intended to improve relationships between and among their 65-member institutions and student-athletes who have spoken clearly about their feelings of disenfranchisement within the current regulatory model. In that regard, student-athletes will participate with an independent vote and voice at all levels (institutional, conference, and five conference).

Each of the 65-member institutions will appoint one representative, and each of the five conferences will appoint three student-athlete representatives to cast votes on legislation within the autonomous system categories. There shall be 80 total votes (65 institutional and 15 student-athlete). An item shall be approved with:

- Two-thirds of the group of 80 and four-out-of-five conference approval by simple majority within conferences.

An item may be introduced into the legislative process by support of a single (1) conference. The item will initially be reviewed by a Legislative Committee, which will determine reasonable standards for moving a proposal into the legislative process. The five conference members of the Division I Board of Directors also will provide oversight regarding adherence to autonomy standards for consideration of legislation.

When an autonomous proposal is sponsored, there will be a comment period available for the rest of the Division I membership to offer comments via website or other electronic means.

A matter shall be final following approval at a Five-Conference Business Session.

Business Session: A Five-Conference Business Session shall be conducted at least annually. Each of the 65-member institutions shall appoint representatives to attend and participate in the business session. The business session shall be the venue for the authorized representative to cast his/her institution's vote on issues within the autonomous system. The business session shall be distinct from the shared governance process implemented for the Division I Board and Council.

Representation: The president of each of the 65-member institutions shall designate one individual to vote his/her institution's interest at a business session.

Meeting Calendar: An annual business session shall be scheduled. Additional business sessions may be scheduled with a 60-day written notice provided to the five conferences, their 65-member institutions, Division I Board and Council.

Five-Conference Forum: A Five-Conference Forum shall be conducted annually prior to the business session. The Five-Conference Forum shall be a town hall meeting open to each member institution's president or chancellor, faculty athletics representative, athletics director, senior woman administrator and student-athlete representatives. Commissioners and staff from five conference offices also shall participate in the forum, along with other invited participants, which shall include coaches.

The forum agenda shall include:

- Autonomous issues, including proposed changes;
- Shared governance issues;
- Current topics in intercollegiate athletics; and
- Other items deemed appropriate.

Representatives from the five conferences and their 65-member institutions shall determine the forum agenda and invitees.

Override: Decisions made through the autonomy system shall be final and not subject to override following approval and completion of a business session.

Board of Directors: The five conferences shall provide their agenda, for information purposes, at each Division I Board of Directors meeting. Actions taken by the five conferences shall be reported to the Board of Directors at each Board meeting following a business session.

Expansion of Autonomy Category.

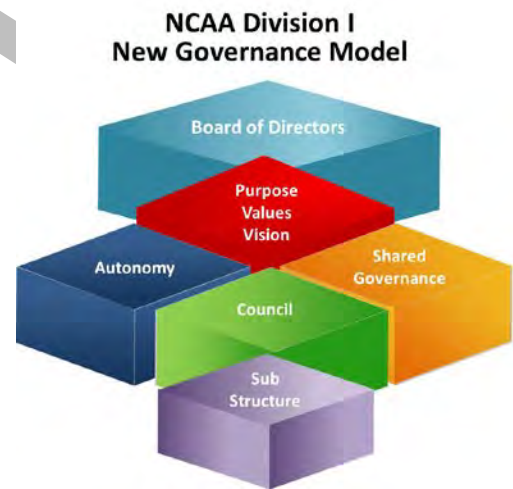
Additions to the list of autonomous issues must result from a change in circumstances arising subsequent to enactment of the Division I governance structure and also must conform to the values of higher education and intercollegiate athletics. The Steering Committee recommends a process for moving shared governance items to the autonomous category that requires approval by the full Board, with a two-thirds majority vote. The Steering Committee recommends requiring three of the five conferences to support a change.

The Steering Committee has discussed the manner in which the Board would address questions about whether a particular piece of legislation fits into a stated category of autonomy and noted that one possibility would be having the Board representatives from the five conferences decide. Another option would be having a governance committee decide or having a special committee appointed to resolve such matters. The Steering Committee agreed that the process to expand the autonomy categories must be transparent and robust.

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Shared Governance

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Shared Governance.

In the governance systems of successful membership organizations, governance (and leadership) is a partnership between members, volunteers and the association's staff. This partnership includes a shared authority and responsibility for important decisions regarding the direction and operation of the association.

At member institutions, shared governance is the set of principles and practices through which faculty, staff and administration participate in the important decisions regarding the operation of the university. Collegial governance is a system based on the idea that authority and responsibility are shared among colleagues. Successful shared governance depends on the good faith consultation among these colleagues prior to decision-making, and upon a common ideology of shared purpose, values and vision.

In addition to the NCAA's core ideology of shared purpose, values and vision, the Division I membership is committed to a set of shared operating principles, including continued revenue distributions as they currently exist, ensuring the needs of all conferences are addressed regarding championships, and continuing to provide the overall benefits of a Division I brand. Five conferences and their 65-member institutions are fully committed to shared governance within Division I in academics and other areas.

Shared Governance Areas.

The Steering Committee believes that areas governed by the Council under shared governance should include matters that require consideration by all 32 conferences, areas of focus that do not fit into the autonomous category, or those related to football. These areas would include championships administration and policy, oversight of membership standards, legislation that requires consideration by all conferences or FBS or FCS conferences, and management of sports/topic-specific studies intended to formulate recommendations for action by the Council, five conferences or Board of Directors. Examples of items to be included in this area are:

- Team scholarship limits in sports other than football.
- Establishment of minimum academic standards.
- Many recruiting provisions.
- Executive regulations.

Further, the system of shared governance correlates with the autonomy system in terms of these shared principles in the following areas:

- Health and Wellness – All schools and conferences are committed to doing everything possible to support health, safety and well-being of their student-athletes.
- Time Demands – All schools and conferences are committed to reducing time demands on student-athletes wherever possible. The NCAA rule is to be considered a baseline, but all are free to impose stricter rules.

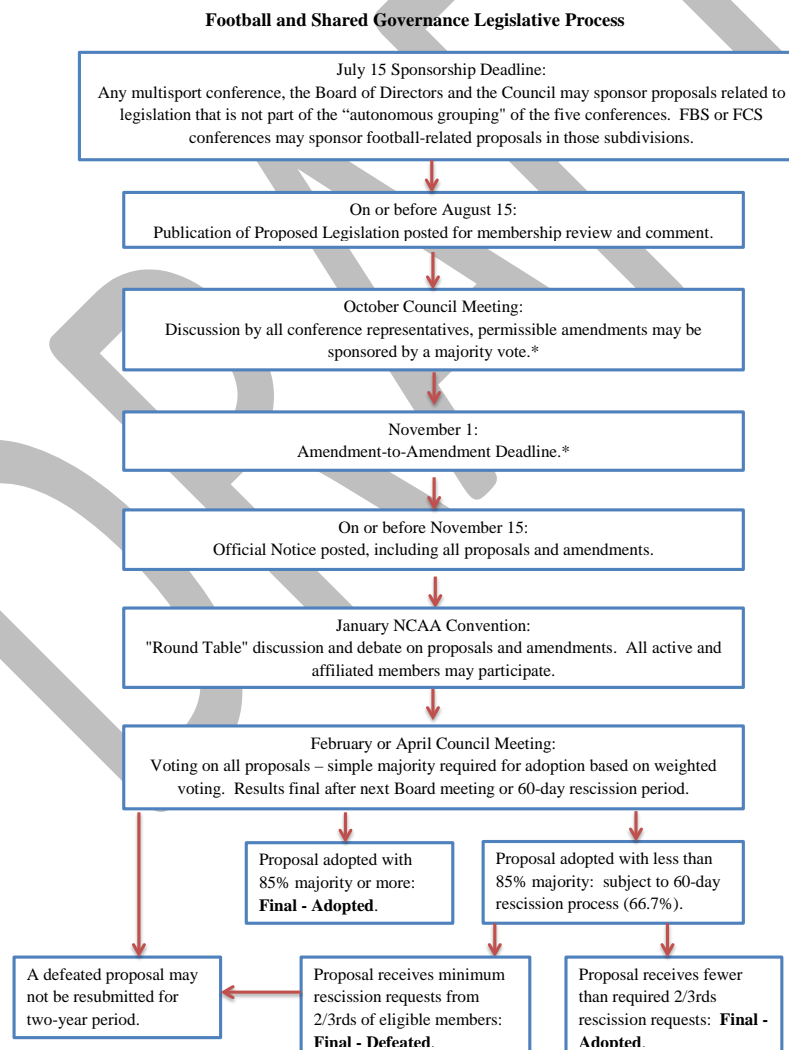
Weighted Voting System for Shared Governance.

The Steering Committee recommends a 4-2-1 voting model, whereby five conferences (ACC, Big Ten, Big 12, Pac-12 and SEC) votes would be weighted at four each and the other five FBS conferences (AAC, C-USA, MAC, MWC and Sun Belt) would be weighted at two each and the remaining 22 FCS/DI conferences and the student-athletes would be valued at one each. The four commissioner votes would be weighted according to the subgroup they represent. The 4-2-1 model breaks down as follows regarding voting percentages:

- Five conferences (5x4) + one commissioner seat (1x4) = 24 = 38.7 percent.
- Middle five conferences (5x2) +one commissioner seat (1x2) = 12 = 19.4 percent.
- DI/FCS - 22 conferences (22x1) + two commissioner seats (2x1) = 24 = 38.7 percent.
- Two student-athletes (2x1) =2 = 3.2 percent.

Suggested Voting Process for Shared Governance.

The Steering Committee presents the following as a possible legislative process for the shared governance system. It will be important to ensure that the shared governance and autonomy systems have corollary timelines so that input from the full membership can be received on autonomy issues. It is suggested that following Board approval of this governance model, the current Leadership and Legislative Councils could meet in October to review and recommend a final process that would begin with the seating of the new Council in January 2015.



KEY SHIFTS FROM THE CURRENT TO THE PROPOSED SHARED GOVERNANCE VOTING PROCESS.

Shared Governance Voting Processes.	
<p>Current.</p> <ul style="list-style-type: none">• The annual process can end in January or April, or “emergency” legislation can be adopted by the Legislative Council or Board of Directors at any meeting.• A proposal can be adopted or defeated via one vote of the Legislative Council in January, or could be sent out for comment for an additional 60-day period before a final vote to adopt or defeat in April.• Once a proposal is sponsored, alternative proposals may be submitted for a specified period.• A complicated override voting process applies to actions of the Legislative Council and Board that requires several steps to complete.	<p>New.</p> <ul style="list-style-type: none">• Any multisport conference, the Council or Board of Directors may sponsor legislation related to shared governance areas or football.• Once the applicable deadline to submit proposals has passed, alternative proposals will not be accepted.• January will be used to review and debate legislative proposals and provides opportunities for all constituent groups to provide comment and input.• The shared governance and football voting process will conclude with one vote by the Council, or Board of Directors concerning academic matters, in February or April.• The Board of Directors would provide oversight regarding all voting processes, standards and policies.• Legislation adopted through the Council will be subject to rescission if two-thirds of active Division I member institutions submit such a request through its president/chancellor within 60 days of final adoption of the legislation.• Legislation adopted through the Council with an 85 percent or more majority vote will not be subject to rescission.• A set of bylaws will be available for the ACC, Big Ten, Big 12, Pac-12 and SEC to amend through a five-conference voting process. Such legislation could be applicable to all members of Division I, automatically in the case of permissive legislation and via Council voting process for actionable legislation.• Legislation adopted by the five conferences and their 65-member institutions would not be subject to override or rescission if all institutions within those conferences participate in the voting process.

Rationale.

- The membership has expressed the desire for a clearer, more transparent and simpler voting process.
- An autonomous voting process on specified topics is justified for the five conferences and their 65-member institutions that find themselves in the forefront of external and internal pressures that affect reputations and perceptions related to the nature of intercollegiate athletics programs generally.
- The former override voting process was cumbersome and a shorter timeline and a higher standard for rescission appear appropriate when voting occurs in a representational process.
- Student-athletes should have voice and vote in both the Council and autonomous voting processes.

Rescission/Nullification Process (Replacement for current override process).

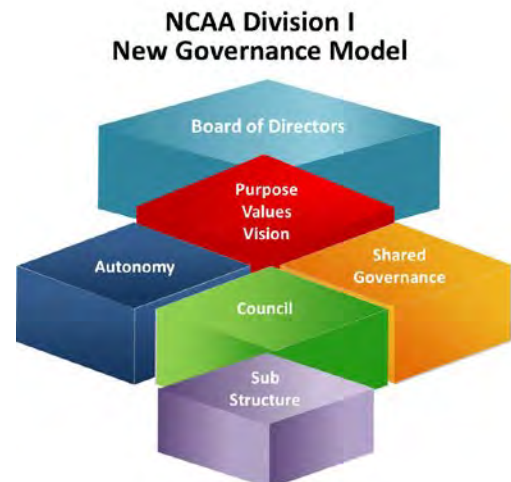
The Steering Committee recommends the rescission/nullification process outlined below for matters addressed by the Council with a two-thirds majority vote of Division I institutions (or FBS or FCS members regarding football issues) required to replace the current override voting process.

Eliminate current triggers (e.g., suspend, consideration, vote) in the override process and replace them with a rescission process. If legislation has 85 percent approval, rescission is not an option. Any other adopted legislation by the Council can be subject to rescission - with a tally suggested at 66.7 percent of active Division I member institutions (or two-thirds of FBS or FCS institutions for matters related to football) within a 60-day period of adoption.

Rescission of an adopted legislative proposal would require official requests from Division I chief executive officers within 60 days following adoption of the proposal. Rescission of such legislation would restore the applicable bylaw to its original state and the legislation would not be subject to further consideration for a two-year period.

Preliminary Implementation/ Transition Strategy

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Preliminary Implementation/Transition Strategy.

If the Board of Directors approves the new governance model, in order to ensure successful implementation, it would be desirable to immediately commence a transition strategy development phase beginning in August 2014, and continuing through the January 2015 NCAA Convention, with most major milestones concluded by January 2015. The task list, and relative timeframes, would include the following:

- **New Governance Structure Approved.** In August 2014, the current Board of Directors approves the Steering Committee's recommendations and adopts legislation to approve and commence an implementation phase of a new structure, to be in place by January 2015.
- **Championship Access Guaranteed.** Based upon approval of the new model in August, a Division I legislative process would be implemented to consider a Constitutional amendment to Article 4.01.2.3 regarding Division I championships access. This concept, guaranteeing access to ALL championships to all conferences, is a fundamental principle of the new governance design, in effect guaranteeing the "Division I brand" as we know it. Then in January 2015, a two-thirds vote of all Division I member institutions and conferences present and voting in a Division I Business Session would be necessary to adopt legislation to modify Constitution 4.01.2.3 regarding championships access.
- **Current Terms Continue Through January 2015.** In order to ensure continuous member leadership through the implementation phase of governance redesign, Board, Executive Committee, councils, cabinets and CAP members' terms will continue beyond the normal June/August 2014 dates through the January 2015 Convention meeting. This will provide the ability to make appropriate adjustments with minimal disruption, and to enable those people who set the new model in place to also work on key decisions about implementation and further definition of substructure. In addition, terms of Administration Cabinet members will continue through February 2014 in order to complete the annual committee selections prior to the development of the new nominations/selection process.
- **Autonomy System Begins.** Following the Board's approval of the new governance structure in August 2014, the five conferences and their 65-member institutions could initiate their first legislative agenda and cycle, which could culminate in actions during the Five-Conference Business Session in January 2015, held in conjunction with the NCAA Convention. In this regard, five-conference legislation may be submitted to the NCAA as early as the summer of 2014 in order to draft, provide a notice/comment period to other Division I members and develop a five-conference agenda for a January 2015 business session.
- **Substructure and Nominations Process Design Begins.** Under the guidance of a continuing Steering Committee and Division I Board, the current Leadership and Legislative Councils begin design work on key transition issues for the new structure, such as design of the new Council substructure and the development of a new nominations process. This process will be needed in order for the new Board to select the new Council, whose members would take office at the close of the January 2015 NCAA Convention. These activities also may include preliminary consideration of a Division I strategic plan and planning process, which the current Leadership Council has been working on periodically during the past 12 months.
- **New Board Committee Structure Framed.** In anticipation of the seating of a new, more strategic Board in January 2015, and in order to ensure that it has the maximum ability to begin its work quickly and efficiently, work should occur in the fall of 2014 on the further definition of Board subcommittees and their charters, with consideration of finance, governance, public

relations/communications and nominating committees. The current Board and/or the Steering Committee on Governance could take the lead in these activities.

- **New Board Appointed.** Based upon Board approval of the new governance structure in August 2014, an appointment and nominations process should ensue for conference appointments to an initial Division I Board to take office at the close of the NCAA Convention in January 2015. This first Board under the new governance structure would still be selected with the same conference appointment process as in the past, but in the 2015 cycle, when a new nominations process has been created, that process should be used to select the next Board.
- **Celebratory Kickoff Event.** At the January 2015 NCAA Convention, the Board and Steering Committee on Governance should hold a celebratory kickoff event to introduce the new structure, marking the successful completion of the governance review and redesign process, and ushering in the new governing bodies, systems and processes. This would also create the opportunity for continued membership feedback, communication and buy-in to the new structure.
- **New Council Substructure.** As soon as practicable following the 2015 NCAA Convention, but not later than April 2015, the Council, building on the transition work executed by the Leadership and Legislative Councils in the fall of 2014, will complete the design of its substructure and issue a formal recommendation to the new Board of Directors regarding the necessary substructure groups and appointment process needed to complete the Council's ongoing work.
- **Continued Board Development.** In 2013, as part of the Division I governance review, the Board stated a desire to move toward a higher level of engagement and participation. The Board's additional oversight roles in the new governance structure will require an even higher level of strategic focus and commitment. After the seating of the new Board in January 2015, and extending through 2015, work should continue in this area, beginning with Board orientation for the full new Board in April 2015 and a "Leadership Boot Camp" orientation for new members. Other tasks should include an expanded Board agenda process, with more formal generative conversations on substantive issues facing Division I, enhanced meeting and work processes, including the establishment of Board committees and integration into the Board's new system of work, continued focus on improving the leadership partnership between the Board and NCAA staff leadership, and a commitment to measuring progress toward new commitments and practices through a process of Board self-assessment.
- **Division I Strategic Plan Development.** The Steering Committee has based this governance redesign on the 2004 NCAA Core Ideology - purpose, values and vision, which continue to serve as a foundation for change. Institutionalizing effective governance and culture change will require a more integrated approach to long-range strategic thinking, annual planning and budgeting, and evaluation in a systematic approach. Therefore, it is recommended that following implementation of the new governance structure in 2015, a formal Division I strategic plan and planning process be developed. The plan should include purpose, values, and vision, assumptions about the relevant future environment, and short-term goals and objectives. The plan and planning process will better enable the Division and the Division I Board to anticipate emerging challenges, think strategically about the issues facing intercollegiate athletics, develop innovative strategies and achieve measurable and timely success.

From Representational to Competency-Based – A New Mechanism for Nomination and Selection.

The concept of moving from a system-based primarily on representation to one with a greater focus on competency-based selection is something that the Steering Committee would like to include in a new governance system.

Currently, the primarily conference-based representation system is in place, along with specific quotas related to gender, ethnicity and other diversity factors. As Division I has grown, along with the number of conferences, so has the demand for all voices being present “in the room.” This has resulted, in many cases, in a mismatch between the skill sets, experience levels and perspectives needed for a particular governing body to effectively function, and the available pool of individuals ready for appointment to various governing bodies.

This has even occurred at the Board level, where conferences are limited by the number of member institutions and the available candidates to serve at any given time. With conference realignment and the continued pressure on presidents and chancellors, a conference often either has candidates with minimal experience in the overall governance structure, or those who have served multiple terms. And, without sufficient orientation to the complex NCAA governance process, some presidents come to Division I Board service with insufficient orientation to the overall roles and responsibilities of the body on which they will serve. On some occasions, presidents have referred to Division I Board service as a “committee appointment.”

The Steering Committee, as part of the implementation of a new Division I governance model, would like to see the development and implementation of a new selection system.

There are certainly precedents for this within Division I. The Division I Men’s Basketball Committee has often been cited as a good example. Members are selected with a focus that ensures a governing body able to set aside parochial self-interests for the good of the whole.

KEY SHIFTS FROM THE CURRENT TO THE PROPOSED NOMINATIONS PROCESS

Currently, selection to cabinets, councils, PAG and Board are made by conferences with attention to specified diversity requirements. The Board approves conference selections ensuring that various diversity requirements have been met.

Selections to committees (i.e. Division I, Association-wide, sports and rules) are made by the Administration Cabinet, which is comprised of 21 members, representing all 11 FBS conferences, and 10 of the 22 FCS and Division I conferences. Conferences nominate individuals for consideration annually when vacancies occur. The cabinet vets the nominees based on position, experience, current or past committee service, education and qualifications. The cabinet discusses nominees and votes to fill vacancies.

Following is a comparison of the current appointment process and a proposed nominations process.

Nominations Process.	
<p>CURRENT PROCESS</p> <ul style="list-style-type: none"> • Conference representation and appointments on the Board, PAG, Council and cabinet levels. • Gender/ethnic/diversity requirements. • Administration Cabinet makes appointments to all other Division I committees, except that it recommends appointments for Board action regarding the Committee on Infractions and Infractions Appeals Committee. 	<p>PROPOSED</p> <ul style="list-style-type: none"> • Creation of a new process that assures appropriate gender and diversity balance, along with a variety of other factors. • Nominating Committee charged with defining Board characteristics needed. • Responsible for vetting performance of Board members nominated for additional terms. • Serves as leadership development group with an ongoing charge to build a base of future candidates. • Creation of a similar process for nominations/selections of committees and other groups in the substructures.
<p>Rationale:</p> <ul style="list-style-type: none"> • Modification of the current conference appointment and nominating processes is appropriate to encourage attention to the interests of intercollegiate athletics programs generally over provincial interests of individual conferences. 	

APPENDICES

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NCAA Division I New Governance Model



Division I Governance Review
Interim Report to the Division I Board
May 2, 2013

Project Overview.

- Gather input from the Division I membership and other key stakeholders about the current state of Division I governance.
- Provide consolidated information, observations and recommendations for moving forward.

Project Milestones.

- NCAA Convention - Leadership Council, Legislative Council, SAAC, Men's Basketball and Women's Basketball Committees, and others.
- Meetings with CCA, NACDA, FARA, Conference Councils and Presidential Groups.
- Cabinets, Councils and Working Groups during February 2013 meetings cycle.
- Senior NCAA staff focus groups in February 2013.
- Individual telephone conversations with key stakeholders, including most Division I Board members.

Components of Good Governance.

Governance Defined.

- Governance is the act of governing. It relates to decisions that define expectations, grant power or verify performance.
- It consists of either a separate process or parts of decision-making or leadership processes.
- Governance relates to consistent management, cohesive policies, guidance, processes and decision-rights for a given area of responsibility.

Components of an Effective Governance System.

- **Structure** - entities and their delegated powers.
- **Process** - mechanisms for discussion and decision-making.
- **Culture** - the values and behaviors that contribute to the unique social and psychological environment of an organization.

Effective Governance Systems.

- Integrate knowledge into decision-making, relying less on opinion and political and organizational dynamics;
- Operate within a culture of trust, including common agreement on what will define success; open access to common information, and agreement on roles and accountabilities.
- Govern with a nimble infrastructure, work and decision-making systems that can respond efficiently and effectively.

"Nimbleness is about decisions made in the right amount of time and in the right way, not necessarily just doing things quickly, and not forsaking enfranchisement for speed."

Preliminary Observations.

General Observations.

- There are some differences, but most are consistent messages across subdivisions and stakeholder groups. On the bigger issues, there's relative agreement.
- Although no one is satisfied with the overall system, there are surprising levels of agreement about basic issues across subdivisions and stakeholder groups, despite disparate needs and resource sizes.
- From crisis brings opportunity - there is a universal sense of urgency and timeliness...a desire to finally tackle the big issues that will lead to fundamental change, yet a need to slow things down and not rush the process – a need to get it right this time.

Observations about Structure.

The range of resource levels, needs and focuses within a single Division I governance structure is enormous.

- Strong sense that practitioner voices are not represented sufficiently inside the formal structure.
- Commonly expressed - insufficient ground level campus experience in NCAA staff (at all levels).
- General agreement that council/cabinet/working group structures are redundant and confusing.
- Lack of formal and (informal) structural opportunities for broader dialogue on intercollegiate athletics issues affecting Division I and its member institutions and conferences.

Observations about Process.

- Observing inconsistent meeting and decision-making processes. Either too structured, with excessive use of parliamentary procedure, or too loose, when chairs open discussions for comment and process and next steps appear vague.
- Inconsistent staff or volunteer training or orientation in effective committee chair competencies, meeting facilitation, etc.
- Minimal use of technology platforms, other than conference calls, to assist groups in facilitating virtual work between face-to-face meetings.
- Strong concerns expressed about the weakness of overall organizational communications.

Observations about Culture.

- Direction from the 2011 Presidential Retreat circumvented existing systems, suspended ongoing agendas, and moved with deliberate speed in selected directions, with selected working groups.
- This "speed factor" is significantly impacting the culture of governance. Breakdown of trust yielding surprisingly high levels of emotive response – across all subdivisions. People are feeling angry, offended, disrespected, disconnected and/or disenfranchised.
- The presidential working groups that bypassed existing structures have created a perception that that the Board doesn't trust what is happening under them.
- Strong consensus that addressing governance culture is critical. ("You can't even begin to fix structure if you don't fix the culture first.")

Engagement, Partnership and Roles.

Board Engagement.

- The Board can delegate a working group to revise structure, but it cannot delegate the responsibility of defining, leading and modeling desired culture change and of setting strategic direction.
- But in order to lead and model effective culture change, there must be a sustained, open, honest, authentic leadership partnership between the Division I Board and the NCAA President.

Building Better Boards.

- **Passive** - The traditional model. The Board's activity and participation are limited and at the CEO's discretion. The Board has limited accountability, and its main job is to ratify management decisions.
- **Certifying** - This type places a heavy emphasis on the importance of outside directors and certifies to stakeholders that the organization is being managed properly and that the CEO is doing what the Board requires.
- **Engaged** - This one partners with the CEO, providing insight, advice and support on key decisions and implementation. It recognizes its ultimate responsibility for overseeing CEO and organization performance.
- **Intervening** - The most common mode during crisis. The Board holds frequent and intense meetings, and becomes deeply involved in key decisions.
- **Operating** - The deepest level of ongoing involvement. The Board makes key decisions, and management implements them. This model is frequently found in the early stages of startups.

Models of Board Engagement.

Questions.

- What level of partnership do you want to have with the NCAA President? What level of involvement does the Board want to have in policy, strategy and decision-making?
- With a corporate model of Board governance assumed, and most of the administration delegated to staff, how can sufficient Board engagement on critical issues be achieved?
- How can the NCAA President best engage and partner with the Division I Board on issues that matter?

Next Steps.

- Continue to gather input from conferences at all subdivision levels – goal is to connect with all conferences and all commissioners.
- Continue to conduct individual telephone interviews with Division I presidents, athletics directors and others – goal is to reach as many as possible.
- Evaluate Web survey results - goal is to obtain input from the full Division I membership, including those not currently involved in governance structure.
- Test observations and recommendations among key stakeholders, build consensus for focus, direction and action.
- Goal is to present final report of governance review at August 2013 Division I Board meeting.

NCAA Governance Review Interim Progress Report August 8, 2013

Topics.

- Project Overview and Update.
- Current Observations.
- Ideas for Action: Components of Change.
- Recommended Process and Timeline.
- Actions and Next Steps.

Project Update.

Project Milestones Thus Far.

- Initiated in January 2013 and chartered by Division I Board and NCAA Executive Committee.
- Stakeholder Outreach – January-June 2013.
 - NCAA January 2013 Convention - Leadership Council, Legislative Council, SAAC, Men's Basketball and Women's Basketball Committees.
 - Cabinets, councils and working groups during February 2013 meetings cycle.
 - NCAA senior staff focus groups and interviews – February-March 2013.
 - Meetings with CCA, NACDA, FARA, conference councils, committees and presidential/CEO groups.
 - Individual telephone interviews with a wide variety of stakeholders, including Division I Board.
 - Web survey to engage all – not just those currently active in governance.
- Continuing to gather input from conferences at all subdivision levels – goal is to connect with all conferences and all commissioners.
- Continuing to conduct individual telephone interviews with Division I presidents, ADs, FARs, SWAs and other stakeholders.

Web Survey Results Survey Purpose.

- Web survey was launched in mid-April. The goal was to obtain input from the full Division I membership, including those not currently involved in governance.
- The process tested observations, themes and ideas about governance among key stakeholders, building consensus for focused direction and action in the next stages of the project.
- Detailed report available on request.

Current Observations Where We Are Today.

- Throughout the first half of 2013, as part of this review, many meaningful dialogues have begun across Division I, in all stakeholder groups.
- There was an immediate need to diffuse anger, resentment, disenfranchisement and distrust before attempting major structural change. Dialogues and conversations have improved this somewhat,

allowing stakeholders to reflect, vent, etc. and envision change.

- An underlying strategy in these first six months has been to try to maximize existing structures and processes that can still provide functional value and provide leadership in moving forward, but with an open mind that the ultimate solutions and structures are yet to be determined.
- Consensus is emerging around issues to be addressed, and a sentiment is growing that the organization is ready to move forward in the process of identifying, evaluating and implementing solutions.
- The current Division I Board desires to lead the formal process of Division I governance change, and the membership is supportive of this approach.
- The NCAA Executive Committee desires to play a more formal role in guiding change at the Association-wide level.
- The NCAA national office will partner with these governance bodies in planning for and implementing change.

Governance Review: Next Phase - Planning for Change.

Planning for Change: Key Focus Areas.

- Division I Membership Structure (Federation).
- Governance Entity Structural Change—Board Structure, Leadership and Other Councils, Cabinets, Committees and Working Structures.
- Membership Enfranchisement and Involvement.
- Division I Board Engagement and Leadership.
- NCAA Executive Committee Corporate Role Definition and Engagement.
- NCAA Staff Leadership Strategy- Structure, Processes, Culture.

Key Focus Area 1: Division I Membership Structure (Federation).

Challenge:

- Determine whether the “big tent” can continue to exist, or whether further federation or confederation within Division I needs to occur.

Issues:

- Need the right structure in order to set direction, priorities, and deliver value to membership in all sub-segments.
- Need the right balance that serves unique needs but unites around shared values and vision.
- Design criteria and variables that may need to be considered include financial-resource ratios, conference interests, values-based, etc.

Key Focus Area 2: Governance Entity Structural Change: Board, Leadership and Other Councils, Cabinets, Committees and Bodies

Challenge:

- Division I Board: Redesigned Board structure, function, role and representation.
- PAG, councils, cabinets, committees, working groups and other structures will also need to be created, refined or redefined.

Issues:

- Design criteria may include: shared principles, values, etc., role and responsibility, size/composition, representation criteria (selection by conference structure or at-large elections), meeting frequency and focus, terms and limitations, accountability, resources, oversight, membership enfranchisement, involvement and connection.

Key Focus Area 3: Membership Enfranchisement and Involvement.**Challenge:**

- Build an effective, member-driven governance culture with full membership engagement, input, enfranchisement and trust.

Issues:

- In what ways can members provide input to the policy and decision-making processes of the governance system?
- How can the governance system ensure that member needs are recognized and addressed?
- How can members actively participate in the work of the governance system?
- How can members be effectively informed about the work of the governance system?

Key Focus Area Division I Board Engagement and Leadership.**Challenge:**

- Further define specifics of what being an engaged Board means.
- Create new meeting and connection experiences for Board and Board members.
- Expand agenda items to include generative conversations on substantive issues facing Division I.
- Define what the leadership partnership between the Board, membership and NCAA staff leadership should look like in practice.
- Determine how the existing Board wishes to organize, including establishment of committees or other changes its structure and processes to improve engagement.
- Determine who needs to do what differently and how new commitments will be measured.

Issues:

- How will the Division I Board function as the working group for governance change? Might they function as a convener, creating design principles and parameters for stakeholder groups to respond to? How should they organize to do so?
- Incoming Board members will need a more robust process of orientation, and may benefit from the establishment of an NCAA "Leadership Boot Camp."

Key Focus Area 5: NCAA Executive Committee Corporate Role Definition and Engagement.**Challenge:**

- Define function, scope, commitments; determine in what ways the Executive Committee could function more as a "corporate" board. Define specifics of what greater levels of engagement would mean for this body.
- Ensure a greater focus on shared vision and values that unite the NCAA as a whole. Lead a review

and update of the NCAA 2004 Strategic Plan and promote ongoing dialogue on Association-wide issues affecting intercollegiate athletics.

Issues:

- Executive Committee members will need to determine their role and function and will consider a series of questions in the process of development:
- What would constitute success for the NCAA as an organization?
- What are the NCAA's shared principles under which we can unite?
- How can the Executive Committee best add value in the "corporate" governance role?
- What generative questions should be addressed in Executive Committee meetings?
- How do we ensure that all three divisions are fully engaged in the conversations?

Key Focus Area 6: NCAA Staff Leadership Strategy.

Challenge:

- Ensure that the NCAA membership is well-served by an outstanding staff organization, demonstrating leadership and functional competencies, skills and culture essential to ensure effective member and stakeholder engagement, enfranchisement, partnership and trust, and possessing the systems, structures and processes necessary to deliver outstanding member value.

Issues:

- Improve leadership capabilities and design targeted leadership strategies intended to institutionalize skills, functions and culture essential to member, staff and stakeholder engagement, enfranchisement and trust.
- Ensure leadership accountability and evaluation of learning and progress.
- Ensure that perspectives of the full spectrum of the membership are brought forward into policy and other decisions in the staff organization.
- Ensure that the full range of national office functions deliver member value (will include in-process activities such as the regulatory review, metrics development and strategic and operational planning).

Defining Success.

- What outcomes, at the macro-level, will define success for Division I governance in this effort?
- What outcomes should we seek from the Division I governance process in the future?
- How will we balance the broad and diverse set of Division I member needs to deliver value and benefit to all in the future governance system?
- Can there be a common definition of success? For example, could success be defined as:
- Restoration of confidence in the athletic world that the NCAA continues to be needed and necessary, well-structured and well led?

Possible Design Principles.

- What principles should guide the process of governance review and the creation of possible solutions? For example:
- Maximize the value of existing structures and processes wherever possible.
- Ensure all voices are able to hear each other – building community and consensus.
- Seek the right balance of unique needs and common self-interest.

- Engage in generative strategic dialogue – focus on root causes rather than symptoms.
- Others?

Process and Timeline for Focus Areas 1-3.

- Current Division I Board serves as the working group to guide overall efforts. (Subcommittees of the Board may be formed).
- NCAA Division I Membership engages on Focus Areas 1, 2, and 3.
- Divisional I Membership Structure (Federation).
- Governance entity structural change—Leadership and other councils, cabinets, committees and working structures.
- Membership enfranchisement and involvement.
- Ideas and input will be solicited from the membership in a coordinated process of idea submission. Guidelines and design criteria will be available.
- Community dialogues will allow consensus building around key ideas and approaches.
- Formal proposals will be developed for submission to the Board and membership approval.
- Comment and voting periods will be posted and occur.

Detailed Timeline for Focus Areas 1-3.

- Ideas and Input - August- November 2013. This time period will include submission of recommended Division I governance structure changes and models and opportunities for groups to informally visit with the Division I Board at the October Board meeting.
- Community Dialogues - January 2014 Convention. This major event will allow the Board to hear discussion, debate and participate in consensus building among all stakeholder groups around key ideas and approaches.
- Formal Proposals - February – April 2014. During this time period, formal proposals will be developed and sponsored by the Board, and multisport conferences if necessary, to address structural and process changes in legislation through a membership voting process.
- Comment, Voting and Approval – TBD - April – August (or special July Convention). During this time, formal proposals will either go through the normal process of comment and voting by the Legislative Council and Board, or if a one vote per member institution and conference is necessary the appropriate proposals will be circulated to the Division I membership for consideration at a Special Division I Business Session during the summer. Proposals not requiring membership vote will be considered by the Division I Board in April or August 2014.

Process and Timeline for Focus Areas 4-6.

- Division I Board Engagement and Leadership – Ongoing Development.
- NCAA Executive Committee Corporate Role Definition and Engagement – October 2013- January 2014 Work Plan.
- NCAA Staff Leadership Strategy- Structure, Processes, Culture - Ongoing Development.

Immediate Next Steps.

- Board approves process and organizes subcommittees to begin work to guide effort. Criteria and desired approach developed and communicated to the membership in early September.
- Membership stakeholders begin organizing around the process of idea submission as desired.

- NCAA governance consultant and NCAA staff leaders continue membership stakeholder outreach and offer assistance to membership groups and coalitions wishing to submit ideas and input.
- Division I Board continues its work on engagement.
- NCAA Executive Committee begins its work on corporate role definition and development.
- NCAA staff continues work on leadership strategy designed to improve capabilities and institutionalize skills, functions and culture essential to member and stakeholder engagement, enfranchisement and trust.

NCAA Division Board of Directors
Governance Review
January 2014
Steering Committee on Governance
Draft New Governance System Design Components of an
Effective NCAA Division I Governance System
Governance Redesign Process

Proposed Governing Principles.

- Student-Athlete Well-Being. Intercollegiate athletics must ensure and improve student-athlete well-being, which includes the ability to increase opportunities for student-athletes.
- Collegiate Model. We remain committed to the collegiate model of intercollegiate athletics, which melds athletic opportunities with a holistic educational experience, enabling our student-athletes to be successful in the classroom, within their sport, in their community and post-graduation.
- Higher Education Focus. Intercollegiate athletics is a component of the educational enterprise and must complement and align with the values of higher education. Ensure intercollegiate athletics remains a positive contributing factor within the higher education model.
- Academic Rigor. Intercollegiate athletics must ensure an appropriate level of academic rigor and commitment for all student-athletes that will enable them to be educated, to graduate and to be successful in their chosen careers.
- Responsiveness. The rules and governance structure must provide sufficient flexibility to address the ever-changing cultural, fiscal and educational landscapes that impact intercollegiate athletics.
- Widespread Competitive Opportunity. Ensure widespread opportunity and fair competition, recognizing that schools differ in a variety of ways, such as geography, size and resources.
- Presidential Control and Oversight with Greater Practitioner Engagement and Consultation. The new governance system should have effective oversight by presidents. Primary legislative responsibility should include ADs, FARs and other practitioners, either through Board standing committees or more effective substructures.
- Competency-Based Approach. Encompassing a mix of representation, diversity, talent and commitment, accessing leaders across the profession and encouraging them to serve.
- Increased Collaboration, Less Hierarchy. Move from the relatively hierarchical structure that exists today into a more collaborative structure, process and culture. Break down hierarchies and silos, and encourage dialogue, communication and shared understanding across the division.

Proposed Governing Body: Board of Directors Roles and Responsibilities.

- The Division I Board will serve as the overall governing body for the division, with responsibility for strategy, policy, legislative and management oversight. For example:
 - **Strategy** - address future issues, challenges, opportunities, and outcomes.
 - **Policy** – review and set parameters that guide and determine present and future decisions, embracing general goals and acceptable procedures.
 - **Legislative** - compare legislative outcomes with guiding principles, ascertaining consistency, etc.
 - **Management** - Partner with NCAA staff to determine how the Association can serve the membership most effectively.

Size and Composition.

- Current size, using the same conference representational mechanism as exists today.
- Board may consist entirely of presidents, or could include several distinguished individuals to provide outside perspectives.
- There will be groups below with practitioners with expertise, and some may serve on Board committees and participate in some Board meetings.
- Council chair will serve on the Board as a voting or (nonvoting) member.

Nominations Process.

- The Board will begin to move toward a competency-based model and a more formal nominations process. Council substructure members will be selected through this process, which will blend competency, related experience and other factors with traditional representation and diversity factors, and which will define specific criteria/requirements for each position considered.

Proposed Governing Body: Board of Directors Voting Structure.

- Still to be determined is whether and in what cases the Board should be given full authority, and not subject to override.
- The options for overrides could be designed into the structure but, at the same time, the opportunity should not be used on a routine basis.

Operating Components Board Standing Committees.

- The Division I Board will work as a committee of the whole to address important issues, but the addition of a well-designed Board standing-committee structure that enables the Board to divide its governing work into manageable pieces on which members of the Board can focus serious attention will serve as a powerful engine for carrying out the governing work of a Board of Directors at a high level.
- Board standing committees will be chaired by Board members. Their role will be to work with substructure groups to provide a more direct path for bringing appropriate work to the Board's agenda. Their tasks will include: improving communication between the Board and the substructure, helping to communicate the Board's intent, enabling early identification of problems or concerns raised in these groups and support effective discussion/action to resolve issues raised, facilitating early identification of developments or opportunities where Board involvement/action would advance success.
- Board standing committees may exist for major areas of accountability in the functioning of Division I, such as finance, communications, student-athlete well-being, academic standards, governance,

enforcement, and there should be a nominating committee added as well.

Ad-Hoc Working Groups.

- The Board should also leave open the option of forming ad-hoc groups to deal with specific and significant issues as they arise.

Proposed Structure: The PAG.

- A body of presidents reporting to the Division I Board.
- A key mechanism for presidents in conferences not represented on the Board to connect with the governance system, be a source of strategic input, and advise the Division I Board on matters in the FCS and DI subdivisions.

Proposed Substructure: The Council.

Roles and Responsibilities.

- The Council will be a high-level body, reporting directly to the Division I Board, with primary responsibility for legislative and championships issues. It will collaborate with the Board on strategic and policy issues. It will be focused on empowering the practitioner level, making legislative decisions, and providing the Board with input on matters that support its oversight responsibilities. It will have primary responsibility for legislation, and will exercise plenary authority over all Division I sports.

Size, Composition.

- Chaired by an AD and comprised of ADs, FARs, SWAs and commissioners, as well as presidents from conferences not currently represented on the Division I Board.
- Representation from all conferences will be mandated.
- May also include three to five additional at-large seats.
- All will be selected by the Division I Board through its nominations committee and process.

Voting Structure.

- The Council will have primary responsibility for legislative matters, with representation from all conferences, and voting mechanisms will be developed.

Operating Components.

- The Council will have three formal substructures: Championships, with responsibility for playing and practice seasons and NCAA championships, Academic, with responsibility for APR, Academic Penalties, GSR, Initial, Continuing and Transfer Eligibility and Legislative Formulation.
- The Council can create other substructures as desired.

Selection, Nomination, and Qualifications.

- A formal nominations process for this will be developed in conjunction with the Board committee on nominations.

Membership Access and Connection.

- Regular mechanisms for feedback and two-way communication will be put into place to ensure membership connection and enfranchisement, and to build trust.

Proposed Legislative Structure.

Legislative Structure Principles.

- Maintain diversity of the current Division I membership under the “Big Tent” model.
- Agreement on legislative autonomy for five conferences and their 65-member institutions over regulations that are most sensitive to the differentiation of institutions and resources. This will include setting the bar high in terms of the related decision-making process. And although this group will have full capacity to act, they will also have an obligation to invite comment from across Division I.
- Shared governance in other areas, recognizing the diversity of institutions and differing needs, but preserving meaningful participation for the full Division I membership.
- Continued access to NCAA basketball championships for all conferences.
- Continued distribution of NCAA revenue through the existing model.
- A simplified legislative structure that is managed by athletic directors and populated with senior-level practitioners who best understand the realities on campus and in competition, but one in which overall presidential control will remain a fundamental principle, on an exception rather than a routine basis.
- A legislative process that is simple, annual in cycle, and involves sufficient and effective membership input.

Proposed Legislative Structure.

Legislative Autonomy.

- Defined as the ability, within the current NCAA structure, for five conferences and their 65-member institutions to adopt reforms in a regulatory structure that respects the demands placed on student-athletes in the 21st century and acknowledges the need for these conferences/institutions to define rules that address their unique challenges.

Proposed Areas for Autonomy.

- Full grant-in-aid as meeting a student-athlete’s cost of attendance.
- Lifetime opportunity to fund the undergraduate education of current and former student-athletes. New resources and greater accountability for success of student-athletes.
- *Enhanced benefits provided to student-athletes for the purpose of supporting their needs based on available resources rather than competitive equity.* Additional detail on what this would encompass will be provided.
- Meet the health and safety needs for student-athletes.
- Creation of “athletic dead periods” for student-athletes to access opportunities outside of intercollegiate athletics.

- Comprehensive support for academically at-risk student-athletes.
- Redefinition of rules governing agents and advisors to assist student-athletes with career planning.
- Personnel (other than coaches) limits.

Proposed Legislative Structure.

Shared Governance across All Division I Institutions and Conferences.

- Defined as any matter not otherwise identified as “autonomy” or “football,” will be part of shared governance across Division I. Intended to maintain standards of access and excellence in a uniform manner across all Division I conferences and institutions in specific areas.

Examples of Areas for Shared Governance.

- Access to championships to all conferences.
- Revenue distribution maintained.
- Team scholarship limits in sports other than football.
- Establishment of minimum academic standards.

Proposed Process for Decision-Making in Shared Governance across All Division I Institutions and Conferences.

- Regular responsibility for legislation will be delegated to the Council, and the Board will intercede only in extenuating circumstances, principles to be determined.
- Still to be determined are the details of what bodies or groups are authorized to propose legislation, and the process for adopting, including the nature of weighted voting, which ultimately will afford the five conferences and their 65-member institutions more weight in developing policy; using various majority/supermajority voting structures.
- There will be some form of override but it will be modified - the threshold will be higher than exists today.

NCAA Core Values.

The Association – through its member institutions, conferences and national office staff – shares a belief in and commitment to:

- **The collegiate model of athletics** in which students participate as an avocation, balancing their academic, social and athletics experiences.
- **The highest levels of integrity and sportsmanship.**
- **The pursuit of excellence in both academics and athletics.**
- **The supporting role that intercollegiate athletics plays** in the higher education mission and in enhancing the sense of community and strengthening the identity of member institutions.
- **An inclusive culture** that fosters equitable participation for student-athletes and career opportunities for coaches and administrators from diverse backgrounds.
- **Respect for institutional differences** and the appropriate way they manifest themselves in intercollegiate athletics.
- **Presidential leadership** of intercollegiate athletics at the campus, conference and national levels.

**REPORT OF THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION
DIVISION I BOARD OF DIRECTORS
JANUARY 18, 2014, MEETING**

1. **Report of the October 30, 2013, Board of Directors Meeting.** The Board of Directors approved the report of its October 30, 2013, meeting. (Unanimous Voice Vote.)

2. **Governance Discussion.** The Board discussed the information gathered during the Division I Dialogue on January 16-17, 2014. Board members were encouraged by the level of engagement and the quality of feedback. Board members acknowledged that some cynicism remains within the membership; however, there seems to be some trust that the Board steering committee will do its best to develop a governance system that will effectively serve the division. It was noted that presidential control and oversight was supported soundly and that some autonomy for the five conferences to address limited issues also was supported. The Board noted that communication will be critical as the steering committee continues its work and recommended that the membership be provided regular updates on the steering committee's work.

3. **NCAA Division I Legislative Council Report.** The Board received the following report of the January 15, 2014, Legislative Council Meeting:
 - a. The Legislative Council reviewed the proposals included in the 2013-14 legislative cycle. The Council considered a group of proposals referred to as a "safety package" and adopted two of the proposals, forwarded two for membership review and comment, and tabled one. The Council also adopted several recruiting proposals that would permit earlier communication and deregulates printed recruited materials that were developed as a result of previous actions to suspend/override Transforming Intercollegiate Athletics Collegiate Model – Rules Working Group proposals.

 - b. The Legislative Council received a report of a recommendation to the Leadership Council to grant NCAA staff authority to consider extenuating circumstances and exercise reasonable discretion in evaluating cases in which the prescribed analysis, as set forth in the legislation, committee or subcommittee directives or guidelines and case precedent result in an inappropriate negative impact to a prospective or enrolled student-athlete. The Legislative Council expressed support for allowing the staff to consider additional mitigating factors that may justify departure from the established penalty or outcome in particular categories of cases.

4. **NCAA Division I Leadership Council report.** The Board received the following report of the January 16, 2014, Leadership Council meeting:

- a. **NCAA Division I Leadership Council Transfer Issues Subcommittee.** The Leadership Council considered two recommendations from the Leadership Council Transfer Issues Subcommittee regarding options for relief for transfer waiver requests for student-athletes who are not eligible to use the one-time transfer exception.

- (1) Undergraduate Transfer Waiver Requests. The Council did not approve a recommendation to amend the NCAA Division I Legislative Council Subcommittee on Legislative Relief (SLR) policies to specify that immediate eligibility no longer be provided for student-athletes who are not eligible to use the one-time transfer exception. Instead, a one-year extension of the five-year clock for mitigating circumstances could be provided. Any mitigation would continue to be evaluated under SLR waiver policies and guidelines.

The Council expressed support for the subcommittee's position regarding undergraduate transfer waivers; however, due to the timing of the Council's receipt of the recommendation, it requested additional membership feedback prior to the April Leadership Council meeting. The Council asked that the recommendation be placed on the agenda for the April 2014 Leadership Council meeting as an action item to be effective for those undergraduate transfer students who enroll during the 2015-16 academic year.

- (2) Graduate Student Waiver Requests. The Council considered a recommendation that SLR policies be amended to specify that immediate eligibility no longer be provided as waiver relief for any reason in circumstances in which NCAA Bylaw 14.1.8.1 (One-Time Transfer Exception for Graduate Students) is not satisfied. A one-year extension of the five-year clock could be provided as relief for mitigating circumstances. Any mitigation would continue to be evaluated under SLR waiver policies and guidelines. The Leadership Council agreed that the issue of graduate student transfers requires a broader membership review of the applicable legislation and should be considered by the appropriate body in the new Division I governance structure.

- b. **Temporary Review Process for Specified Regulatory Waivers, Amateurism Certification Decisions and Student-Athlete Reinstatement Conditions.** The Leadership Council agreed to ask the Board to ratify the Council's action to grant NCAA staff authority to consider extenuating circumstances and exercise reasonable discretion in evaluating cases where the prescribed analysis, as set forth in the legislation, (sub)committee directives or guidelines and case precedent, result in an inappropriate negative impact to a prospective or enrolled student-athlete. Specifically, after determining the impact of a prescribed penalty, the Leadership Council is proposing to allow additional consideration of mitigating factors that may

justify departure from the established penalty or outcome in the following categories of cases:

- (1) Cases involving the health and safety of a student-athlete, or instances in which the prescribed penalty or outcome would likely have a significant negative impact on a student-athlete's well-being.
- (2) Cases involving prospective or enrolled student-athletes who have served active duty in the military or who have delayed collegiate enrollment due to serving official religious missions.
- (3) Cases that involve the potential for significant withholding conditions (e.g., a year in residence and one or more seasons of intercollegiate competition, loss of all or part of final year of eligibility), despite the existence of circumstances indicating that the application of prescribed penalties is disproportionate or otherwise inconsistent with the intent of the legislation.
- (4) Cases involving nominal or inconsequential benefits to student-athletes.

The Leadership Council noted that its action was based on the understanding that the temporary authority would apply only until the new governance structure and legislative process is identified and becomes effective. In addition, the Council requested that a quarterly report of waiver decisions made using this temporary authority be reviewed by an appropriate committee(s). Lastly, the Council emphasized the need for enhanced membership education regarding new precedents that will be set using this temporary authority.

BOARD ACTION: The Board voted to ratify the Council's action to grant NCAA staff temporary authority as described above until the new Division I governance structure is implemented or a period of no more than two years, at which time the process would be reevaluated. (Unanimous voice vote.)

5. **Future Agenda Items.** Board members raised the following issues to be discussed at future meetings:

- "One-and-done."
- Early recruiting.
- Impact of transfer-related issues on institutional reputation.

6. Future Meeting Dates.

- a. Thursday, April 24, 2014, Indianapolis, Indiana.
- b. Thursday, August 7, 2014, Indianapolis, Indiana.
- c. Thursday, October 30, 2014, Indianapolis, Indiana.
- d. Saturday, January 17, 2015, Washington, DC. [In conjunction with the 2015 NCAA Convention.]

Board of Directors chair: Nathan Hatch, Wake Forest University, Atlantic Coast Conference
Staff Liaisons: S. David Berst, Division I governance
Jacqueline Campbell, Division I governance

Division I Board of Directors January 16, 2014, Meeting	
ATTENDEES	ABSENTEES
Stan Albrecht, Utah State University, Mountain West Conference	Rita Cheng, Southern Illinois University at Carbondale, Missouri Valley Conference
Gene Block, University of California, Los Angeles, Pacific-12 Conference	Michael Drake, University of California, Irvine, Big West Conference
Philip Hanlon, Dartmouth College, Ivy League	Baker Patillo, Stephen F. Austin State University, Southland Conference
Patrick Harker, University of Delaware, Colonial Athletic Association	
Nathan Hatch, Wake Forest University, Atlantic Coast Conference, chair	
John Hitt, University of Central Florida, American Athletic Conference	
David Hopkins, Wright State University, Horizon League	
David Leebron, Rice University, Conference USA	
Roderick McDavis, Ohio University, Mid-American Conference	
Horace Mitchell, California State University, Bakersfield, Western Athletic Conference	
Daniel Papp, Kennesaw State University, Atlantic Sun Conference	

Harris Pastides, University of South Carolina, Southeastern Conference	
Joseph Savoie, University of Louisiana, Lafayette, Sun Belt Conference	
Kirk Schulz, Kansas State University , Big 12 Conference	
Lou Anna Simon, Michigan State University, Big Ten Conference	
NCAA staff liaisons in attendance: David Berst, Jacqueline Campbell	
Guests from other Division I governance bodies: Noreen Morris, Northeast Conference, chair of the Division I Leadership Council. Mary Mulvenna, America East Conference, chair of the Division I Legislative Council	
Other Guests: Jean Frankel, Ideas for Action, LLC	
Other NCAA staff members in attendance for portions of the meeting: Mark Emmert, Michelle Hosick, Jim Isch, Cari Klecka, Kevin Lennon, Kathleen McNeely and Donald Remy.	

**NCAA Division I Committee on Infractions
Internal Operating Procedures (IOPs)
April 2, 2014**

As a result of the continued efforts to develop and amend the Division I Committee on Infractions IOPs, the following amendments to the IOPs are suggested and appear in bold. The Division I Committee on Infractions voted and passed the following IOPs on February 7, 2014.

ACTION ITEMS.

- **Nonlegislative Item.**

- a. **Division I Committee on Infractions - Preamble.**

- (1) Recommendation. Amend the Preamble to account for the effect of immaterial changes to cross-referenced NCAA bylaws, constitutional provisions or IOPs.

Preamble. Because the IOPs are derived from the Division I constitution and bylaws and address the practical processing requirements for an infractions case, the IOPs will be amended from time to time, without prior notice, to accommodate changes to the constitution, the bylaws and the COI's and OCOI's evolving practices. **An amendment is immediately effective.** Any amendments will be presented to the NCAA Division I Board of Directors for approval. Editorial, formatting or typographical corrections that do not arise to the level of an amendment will be made as needed. **To the extent that specific IOPs, bylaws or constitutional provisions are referenced in an IOP and the referenced IOP, bylaw or constitutional provision is renumbered or amended without material effect, the IOP in question remains applicable.**
(Effective: 2/7/2014)

- (2) Effective Date. Immediate.
 - (3) Rationale. The focus of the proposal is to clarify that amendments to the IOPs are effective immediately. Similarly, the proposal recognizes that amendments may be made to IOPs, NCAA bylaws and constitutional provisions. Because many of the IOPs cross-reference other IOPs, bylaws and constitutional provisions, the amendment establishes that immaterial amendments, e.g., renumbering, will not render an IOP inoperable. Absent a material change, IOPs will remain applicable.
 - (4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. Not applicable.

b. Division I Committee on Infractions – Member Assignment by Hearing Panel Generator.

(1) Recommendation. Amend IOP 3-1-2 – Member Assignment by Hearing Panel Generator. The amended language of IOP 3-1-2 will track the language of Bylaw 19.3.3 - Hearing Panels of the Committee.

3-1-2. Member Assignment by Hearing Panel Generator. As cases become ready to be heard and reviewed, the OCOI tentatively schedules a case to a projected hearing session. **Unless ordered otherwise by the chair, the OCOI will utilize a computer program to generate hearing panels consisting of not less than five and not more than seven members of the full Committee on Infractions, with alternates, to hear and review cases.** Committee members are selected based on their calendar availability, experience level and lack of a conflict of interest based on institutional or conference affiliations. Substitutes may also be added from a pool of former committee members. These panels are assigned to hear cases. Additional panels may be generated as needed. Panels may be modified due to availability and subsequently disclosed conflicts of interest. Cases may be rescheduled or reassigned to a different panel. All parties will be informed of the panel composition when practicable after the submission of the institution's and involved individuals' responses. (*Effective: 8/1/2013 adopted 8/8/2013; Effective 2/7/2014*)

(2) Effective Date. Immediate.

(3) Rationale. Where possible, the OCOI/COI attempts to track bylaw language. The bolded language traces Bylaw 19.3.3 and is intended to clarify and bolster IOP 3-1-2. That language indicates that panels will consist of five to seven members, but reserves the chair's authority to set the panel at a different number. Further, the IOP elaborates on the process for generating a panel.

(4) Estimated Budget Impact. None.

(5) Student-Athlete Impact. Not applicable.

c. Division I Committee on Infractions – Quorum.

- (1) Recommendation. Amend IOP 4-14 – Quorum. The IOP defines quorum for general business, hearing panels and cases with larger panels.

4-14. Quorum. At the commencement of a meeting or hearing of the COI, the presiding member (chair, chief hearing officer or designee) shall announce whether a quorum is present and a continued presence of a quorum is presumed, unless the presiding member makes a contrary announcement. A quorum for the whole COI to conduct general business is a majority of **members present and voting on the COI. A quorum for a hearing panel consisting of five and not more than seven will be four. In cases with larger panels, the quorum will be a majority.** The COI retains the flexibility to authorize a sub-group of COI members to perform other administrative functions. *(Effective: 8/1/2013 adopted 8/10/2013, Revised: 2/7/2014)*

- (2) Effective Date. Immediate.
- (3) Rationale. The bolded language is intended to further clarify and define quorum in three settings: general business; a hearing panel, as defined by Bylaw 19.3.3; and situations where the chair, acting under his/her authority in Bylaw 19.3.3, sets the panel at a larger number.
- (4) Estimated Budget Impact. None.
- (5) Student-Athlete Impact. Not applicable.

d. Division I Committee on Infractions – Reconsideration of a Decision.

- (1) Recommendation. Create IOPs 4-18 – Reconsideration of a Decision, 4-18-1 - Parties’ Written Request for Reconsideration and 4-18-2 – Granted Relief. The IOPs are meant to memorialize the reconsideration procedure identified in Bylaw 19.8.2.

4-18. Reconsideration of a Decision. Once the decision has been publicly announced and the time for appeal has expired, there shall be no reconsideration of the decision except as defined in Bylaw 19.8.2. Parties seeking reconsideration must submit a written request to the chair/chief hearing officer detailing their request for reconsideration in a manner consistent with IOP 4-18-1.

Where practicable, the same panel will review and decide the reconsideration request. The panel will determine whether the written request demonstrates/shows new evidence that is directly related to the

decision or shows that there was prejudicial error, as defined in Bylaw 19.8.2.1. Upon a determination that a party has met the requirements in Bylaw 19.8.2.1, the panel will make a recommendation as to whether a party's request for reconsideration will be reviewed by paper submission or heard at a meeting (conducted in-person, via video or another mode of communication). As decided by the chair or designee, the same or different panel will hear or review the request and decide whether relief is warranted. (*Effective: 2/7/2014*)

4-18-1. Parties' Written Request for Reconsideration. A written request for reconsideration must (a) demonstrate the existence of new evidence that is directly related to the decision, or (b) show that there was prejudicial error in the procedure. Additionally, the request must state all relief sought. (*Effective: 2/7/2014*)

4-18-2. Granted Relief. The panel may reduce or eliminate a penalty but may not prescribe any new penalty. (*Effective: 2/7/2014*)

- (2) Effective Date. Immediate.
- (3) Rationale. The IOPs memorialize the reconsideration process identified in Bylaw 19.8.2. Specifically, the IOPs elaborate and clarify the two-step process for a reconsideration request. Further, IOP 4-18-2 reaffirms Bylaw 19.8.2.1.2, that a panel cannot prescribe any new penalties.
- (4) Estimated Budget Impact. None.
- (5) Student-Athlete Impact. Not applicable.

e. Division I Committee on Infractions – Compliance Report Review by Panel.

- (1) Recommendation. Create IOP 6-1-1-1 – Compliance Report Review by Panel. IOP establishes the process by which institutions' compliance reports will be reviewed by the committee.

6-1-1-1. Compliance Report Review by Panel. The chair may request that the OCOI generate a five to seven-member panel to conduct a review of compliance reports. On behalf of the full committee, the five to seven-member panel will review, approve or seek other action regarding preliminary and annual compliance reports submitted during a rotation. All members of the committee shall receive all compliance reports, and shall be permitted to provide comment regarding a given report to the panel charged with reviewing the report. (*Effective: 2/7/2014*)

- (2) Effective Date. Immediate.
- (3) Rationale. The IOP establishes an efficient process for reviewing institutions' compliance reports. The IOP gives the generated panel the authority to review, approve or request additional information but preserves other committee members' ability to review and comment regarding institutions' submitted reports; however, ultimate approval rests with the panel.
- (4) Estimated Budget Impact. None.
- (5) Student-Athlete Impact. Not applicable.

f. Division I Committee on Infractions – Maintenance of Infractions History Information.

- (1) Recommendation. Amend IOP 6-4 – Individual Record Checks (Coach's Background Check) to 6-4 - Maintenance of Infractions History Information. Create IOP 6-4-1 – Infractions History for Individuals and 6-4-2 – Individual Infractions History Checks. The IOPs are intended to memorialize a long offered service to the membership.

6-4. Maintenance of Infractions History Information. Pursuant to Bylaw 19.8.1, infractions decisions contain findings of fact, conclusions of violations, penalties, corrective actions and other requirements and conditions. Additionally, pursuant to Bylaw 19.3.6(h) and historical practice, the OCOI maintains historical information contained in infractions decisions. *(Effective: 2/7/2014)*

6-4-1. Infractions History for Individuals. The standard procedure for the OCOI is to maintain an individual infractions history for individuals for who the committee has concluded violated NCAA legislation in a Level I or Level II (formerly major) infractions case, regardless of whether a penalty was prescribed as a result of that violation. However, a panel may determine in its discretion that an individual will not have an individual history maintained due to the circumstances of the case. *(Effective: 2/7/2014)*

6-4-2. Individual Infractions History Checks. As a service to the NCAA membership, a member institution may contact the OCOI regarding whether an individual has a previous infractions history. The OCOI shall provide the member institution the pertinent infractions

information regarding findings of fact, violations and penalties contained in any infractions decision for the identified individual. (*Effective: 2/7/2014*)

- (2) Effective Date. Immediate.
- (3) Rationale. The OCOI has long offered this service to the membership and member institutions. The IOPs memorialize that service. The IOPs' language identifies the bylaw authority for what information is contained in infractions decisions and the chair's authority to direct the OCOI to carry out duties directly related to the administration of the Association's enforcement program. The IOPs identify that infractions history related to a Level I or Level II infractions case will be maintained.
- (4) Estimated Budget Impact. None.
- (5) Student-Athlete Impact. Not applicable.

MEMORANDUM

February 13, 2014

TO: NCAA Division I Board of Directors.

FROM: NCAA Division I Committee on Infractions.

SUBJECT: Nomination of NCAA Division I Committee on Infractions Chair and Vice Chair for Terms Beginning the 2014-15 Academic Year.

The Division I Committee on Infractions met in person on February 7, 2014, and voted to nominate Gregory Sankey, executive associate commissioner and chief operating officer of the Southeastern Conference, as chair, and Eleanor W. Myers, a professor of law and the faculty athletics representative at Temple University, as vice chair of the committee for terms commencing on August 1, 2014. Mr. Sankey and Ms. Myers will be replacing Britton Banowsky, commissioner of Conference USA and Melissa “Missy” Conboy, senior deputy director of athletics at the University of Notre Dame as chair and vice chair respectively.

In accordance with NCAA Bylaw 19.3.1 (*Effective 1 August, 2013*), the Board “shall appoint one member of the committee to serve as chair and one member to serve as vice chair.”

Both Mr. Sankey and Ms. Myers have indicated that they are willing to serve as chair and vice chair through the 2015-16 academic year, at which time they will relinquish their positions in favor of new leadership, subject to approval by the Board.

NCAA Government Relations Report

(March 2014)

1. Congressional Overview.

Policymakers returned to Washington for the second session of the 113th Congress with a legislative agenda impacted by the upcoming midterm elections. Early progress saw the enactment of the Farm bill and passage of a spending bill to fund the federal government. Other proposals, which are expected to attract partisan attention include: unemployment benefit extensions, a federal minimum wage increase and immigration reform.

Control of the House and Senate will continue to be a major storyline in Washington throughout the year. In the House, where the Republicans now hold a 234-201 majority, Democrats would need to gain 17 seats in the upcoming election to take back control. Currently, 47 members will not return based on retirements, seeking other offices or resignations. In the Senate, Democrats now hold a 55-45 majority. With 36 seats up for election this year, Republicans would need to net six seats to claim a majority in the Senate. Currently, 10 Senators will not return based on retirements and resignations. With so many new members in the House and the Senate, there will likely be many shifts of committee assignments as well.

Congress has continued to express interest in a variety of matters connected to the amateur and professional sports community. The health and safety of student-athletes continues to be a priority as well as a variety of issues related to the welfare of student-athletes. Through a collective effort, the NCAA and its members and other representatives from the higher education community have worked to be responsive to Congressional inquiries and conduct outreach to educate members of Congress and their staffs on NCAA policies and procedures.

2. Federal Issues.

- **Collegiate Student Athlete Protection Act and The National Collegiate Athletics Accountability Act.**

As highlighted in previous reports, two bills have been introduced that would address a variety of student-athlete welfare issues by amending the Higher Education Act of 1965. H.R. 3545, the Collegiate Student-Athlete Protection Act, was introduced by Representative Tony Cardenas (D-CA) on November 20, 2013. The measure has been assigned to the House Education and the Workforce Committee and currently

has five original co-sponsors. The bill only applies to institutions that generate 10 million dollars or more in income from media rights for their athletics program and would establish certain requirements in the areas of financial aid, medical expenses and concussion testing.

A second bill, H.R. 2903, the National Collegiate Athletics Accountability Act was introduced by Representative Charlie Dent (R-PA) and Representative Joyce Beatty (D-OH) on August 1, 2013. The bill currently has nine co-sponsors and has been assigned to the House Education and the Workforce Committee. This measure would restrict Title IV funds to colleges and universities that are a member of an athletic association that fails to establish minimum requirements in the areas of health and safety, financial aid and the infractions process.

As written, both of these proposals will only become law through amending the Higher Education Act of 1965. Therefore, we will be keeping a close eye on the reauthorization process. While we expect that a number of proposals related to the Higher Education Act will be introduced, it is widely believed within the higher education community that the reauthorization process will take substantial time to complete.

3. Health and Safety.

a. The Concussion Awareness and Education Act of 2014.

On January 28, 2014, Representative Joyce Beatty (D-OH) introduced H.R. 3954, the Concussion Awareness and Education Act of 2014. The measure would direct the Secretary of Health and Human Services (HHS) to set up a national system for monitoring sports-related concussions in individuals between the ages of 5-21. The bill would also require the Director of the National Institutes of Health and Secretary of Defense to conduct or support research designed to establish specific metrics and markers related to concussion diagnosis and recovery in youth athletes. Based on the results of this research, the Director of the National Institutes of Health and the Secretary of Defense would be responsible for developing standards, best practices, and guidelines for the rules of play and training for athletic and military activities. Finally, under the direction of the Secretary of HHS, a Concussion Research Commission would be established that identifies and formulates systemic

recommendations to address key components of concussion research, surveillance, education, treatment and prevention.

H.R. 3954 has been referred to three House Committees: Energy and Commerce, Armed Services and Education and the Workforce. To date, the measure has not received any additional legislative attention by any of these committees. Despite the lack of movement, the bill has garnered additional support since introduction and currently has a total of 46 co-sponsors.

b. Concussion Hearing – House Energy and Commerce Subcommittee on Commerce, Manufacturing and Trade.

On March 13, 2014, the Energy and Commerce Subcommittee on Commerce, Manufacturing and Trade conducted a hearing titled “Improving Sports Safety: A Multifaceted Approach.” The hearing was called by Chairman Lee Terry (R-NE) to examine ongoing efforts within professional and amateur athletics to prevent and mitigate the occurrence of concussions in sports. The hearing included two panels, with the first being made-up of mostly representatives from professional and youth sports organizations and the second panel being mostly composed of doctors and scientists. Panelists included William Daly, deputy commissioner, NHL; Jeff Miller, senior vice president, Player Health and Safety Policy, NFL; Scott Hallenbeck, executive director, USA Football; Briana Scurry, former professional goalkeeper, U.S. Women’s National Soccer Team; Richard Cleland, assistant director, Division of Advertising Policy, Federal Trade Commission; and Dr. Dennis Molfese, director, Center for Brain, Biology and Behavior, University of Nebraska-Lincoln.

Much of the testimony focused on the multi-pronged approach being utilized to address ongoing concerns with concussions including the need for additional research, longitudinal studies and information on risk factors. Witnesses also focused on the importance of game rule changes, proper skill and technique instruction, ongoing concussion education to change the culture within athletics, and equipment research and development. The committee did not provide any indication on what, if any, next steps will be taken on this issue.

c. Medical Professional Liability Insurance.

On December 12, 2013, Representative Tom Latham (R-IA) introduced a proposal to provide protections for sports medicine professionals who provide medical services when traveling with their team across state lines. The bill has been assigned to the House Judiciary Committee and House Energy and Commerce Committee. Under H.R. 3722, the medical professional liability insurance or civil and criminal malpractice liability for physicians or athletic trainers will be governed by the state where they are authorized to practice even when providing medical services in another state. The bill currently has 8 co-sponsors and the support of the NCAA and the professional sports leagues. It is expected that the NCAA will join with the professional sports leagues and medical professionals to educate Members of Congress on the importance of this legislation in easing existing concerns within the sports medicine community when rendering medical care to athletes who are participating in an out of state competition.

4. State Issues.

a. Uniform Athlete Agents Act (UAAA).

The Uniform Law Commission (ULC) convened the Uniform Athlete Agents Act (UAAA) Drafting Committee meeting on March 21-22. At the meeting, the ULC and other interested parties continued the formal review and revision of the current Act. NCAA national office staff, NCAA membership, a SAAC representative and representatives from the professional sports leagues and the athlete agent community among others attended. Specific areas of focus include: broadening the definition of athlete agent, increasing the civil and criminal penalties, creating a bond requirement for registering athlete agents, revamping the registration process and requiring an athlete agent to provide notice to an educational institution before contacting a student-athlete.

b. Student-Athlete Bill of Rights.

A bill very similar to the Student-Athlete Bill of Rights that was passed by the California legislature in 2012 has been introduced in the New York legislature. S. 6383 and its companion, A. 8219, have been referred to the higher education committees in their respective bodies of origin. Also titled the Student-Athlete Bill of Rights, this bill would establish certain requirements in the areas of athletically

related financial aid, medical coverage and expenses, and concussion safety for New York colleges and universities that generate 10 million dollars or more from media rights for intercollegiate athletics.

Since introduction, these proposals have not seen any additional attention. NCAA government relations staff will continue to monitor these proposals and any other related measures that are introduced at the state level.

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) and the National Association of College and University Business Officers (NACUBO), among others, continue to provide guidance and support on issues of common interest. Also, the NCAA has been working closely with the Association of Public and Land-grant Universities (APLU), which recently created an advisory group that will focus on policy issues related to collegiate athletics. The NCAA government relations staff looks forward to continuing these mutually beneficial relationships to better formulate and further the NCAA's legislative goals.