

**Report of the August 6, 2009, Division I Board of Directors Meeting**

**Table of Contents of Key Issues**

<b>Report of the Division I Presidential Advisory Group August 3, 2009, teleconference .....</b>	<b>1</b>
<b>NCAA President’s Report .....</b>	<b>1</b>
<b>Men’s basketball enforcement initiative.....</b>	<b>2</b>
<b>Update regarding the NABC communication plan .....</b>	<b>2</b>
<b>Final report and recommendations of the Men’s Basketball Academic Enhancement Group.....</b>	<b>3</b>
<b>Report of the Committee on Academic Performance.....</b>	<b>6</b>
<b>Division I Governance Structure Update .....</b>	<b>8</b>
<b>Update from June Cabinet meetings.....</b>	<b>8</b>
<b>Report of the May 6 and 11, 2009, Division I Leadership Council .....</b>	<b>8</b>
<b>Report of the July 30, 2009, Division I Legislative Council .....</b>	<b>9</b>
<b>Committee on Infractions .....</b>	<b>10</b>
<b>AFCA/NCAA Respect Weekend .....</b>	<b>11</b>

**Report of the NCAA Division I Board of Directors meeting  
August 6, 2009**

**1. Opening remarks.**

**BOARD ACTION:** Heard from the chair regarding his thoughts on issues that should be examined as part of the Division I agenda. Those issues included:

- The need to address issues associated with the nontraditional delivery of courses relative to the eligibility of student-athletes.
- The impact of Division I initial eligibility standards and the impact of those standards on academic support personnel.
- The proliferation of noncoaching personnel and the impact on competitive equity.
- The need to assess whether the Division's academic reform efforts are having the desired impact.
- The need to promote intercollegiate athletics in a way that promotes a healthy balance between fiscal responsibility and athletic success in an effort to assist member institutions in making decisions that are consistent with their values.

**2. Minutes of the April 30, 2009, Board of Directors meeting.** [Reference BOD Supplement No. 1.]

**BOARD ACTION:** **Approved the minutes as distributed.** (Unanimous Voice Vote.)

**3. Report of the Division I Presidential Advisory Group (PAG) August 3, 2009, teleconference.** [Reference BOD Supplement No. 2.]

**BOARD ACTION:** Received a report from the Division I Presidential Advisory Group's August 3, 2009, conference call and learned from its chair that the PAG discussed whether a more regionalize approach to NCAA championships could result in potential cost savings for the membership.

**4. NCAA President's report.**

**BOARD ACTION:** Received its quarterly report from the NCAA President in which he focused on two main topics, which are set forth below:

- While the Division has made good progress with its academic reform initiatives it has yet to complete its work. The good news is the focus is now on improving various aspects of the initiative rather than on developing new initiatives.
- The Division must recognize the special place the sport of basketball holds among NCAA sponsored sports given its contribution to the overall welfare of the Association. It is imperative that the environment surrounding the game is healthy. Accordingly, members of the enforcement staff have been specifically assigned to help address the negative and unsavory influences impacting the game. Additionally, learned that the NCAA has established a NCAA Men's Basketball Ethics Coalition, which is a 14-member body made up of current and former coaches focused on promoting ethical behavior, demonstrating leadership and providing peer guidance, all in the name of strengthening the sport of men's basketball.

**5. News regarding a men's basketball enforcement initiative.**

**BOARD ACTIONS:**

- a. Learned from the NCAA Vice President of Enforcement and a member of his staff, that given the complexity of concerns surrounding men's basketball recruiting practices, they have taken a multi-faceted approach to seek to improve the overall environment surrounding the game.
- b. Heard that the staff has spent a great deal of time reviewing recruiting practices in men's basketball and that by talking with coaches there appears to be a common perception that current bylaws cannot be enforced regarding hiring practices and remuneration schemes designed to limit access to recruits.
- c. Were informed that the enforcement and AMA staffs are working together to review interpretations of the current legislation and identify boundaries, with the ultimate goal of establishing a clear and unambiguous line regarding violations, thereby putting the membership on notice of a new direction by the enforcement staff.

[Note: The Board of Directors will receive a final series of recommendations from the enforcement staff during at its October 29, 2009, meeting, which may include both interpretative and suggested bylaw changes. The Board will be asked to support an initiative to directly address abuses and the NABC Board and CCA members will be asked to provide support as well.]

6. **Update regarding the new NABC communications plan.** [Reference BOD Supplement No. 3.]

**BOARD ACTIONS:**

- a. Received an update from the Executive Director of the NABC along with one of its members regarding that Association's efforts to develop a communications plan to help serve as a catalyst for dialogue between presidents and coaches on the campus, conference and national levels.
- b. Learned that the goal of this plan is to foster improved understanding of the academic and athletic issues impacting the men's basketball program and the NABC believes this plan should result in increased respect between presidents and coaches regarding academic and athletic goals.
- c. Suggested the document include a goals and objectives section and recommended that the NABC make a few edits to the plan prior to seeking the Board of Directors support.
- d. Recommended that as a matter of practice, the NABC should be invited to report to the Board of Directors twice per year as a means of enhancing the level of dialogue between presidents and coaches.

7. **Final report and recommendations of the Men's Basketball Academic Enhancement Group.** [Reference BOD Supplement No. 4.]

**BOARD ACTIONS:** Received the final report of the Men's Basketball Academic Enhancement Working Group and heard a presentation on that group's recommendations from its chair and other group members.

a. **Background and Foundation.**

- (1) Heard that in developing its recommendations, the working group focused on the data, which reveals that men's basketball players as a group come to Division I institutions less prepared academically, and leave Division I institutions at a higher rate than any other sport as illustrated by the fact that approximately 40 percent of entering freshmen in the sport leave their initial institutions by the end of the second year.
- (2) Were informed that the group's efforts were influenced by coaches who reported that prospective and enrolled student-athletes are inundated by

unregulated third parties and who push the young men to commit early to a professional career, encourage them to a new institution, or push enrolled student-athletes to participate in summer training in locations that have no connection to the institution or to academic development.

- (3) Learned that the group, mindful of the data, developed recommendations designed to achieve greater student-athlete retention by providing them with the type of skills enhancement they desire along with an opportunity for better academic preparation, learning skills and an enhanced coach-player relationship.
- b. Recommendations:** Reviewed the working group's recommendations, the terms of which are set forth below, in part, as follows:
- (1) Formal Summer Retention – Focused Program to Support Academic, Athletic and Learning Skills Development.
    - Each institution shall formally assess the academic preparedness of all incoming men's basketball student-athletes (including transfers) who have signed financial aid agreements using institutionally-defined criteria to identify those students who need an academic head start to put the individual on a track to predict graduation within five years of initial enrollment.
    - Such student-athletes must be enrolled in a minimum of 6 credit hours and successfully complete 3 credit hours in addition to receiving institutional learning skills education.

[NOTE: The learning skills education should address several key learning objectives that would help a student "learn how to learn".]

    - In subsequent years, institutions must re-evaluate the academic performance of its student-athlete using institutionally-defined criteria to determine which students should attend summer school to achieve graduation in five years. Student-athletes not on track to graduate in five years shall be strongly encouraged to enroll in summer school and shall be provided financial aid.
    - Such student-athletes must enroll in a minimum of 6 credit hours and successfully complete 6 credit hours to be considered eligible for the fall.

[NOTE: Exceptions would be provided to institutions that do not offer summer courses or that do not offer athletics aid.]

- Such student-athletes enrolled in summer schools shall be permitted to participate in organized summer athletics development activities, during an institutionally designated eight-week period. During this time, incoming or continuing men's basketball student-athletes in summer school may participate in a maximum of eight hours per week in summer athletic development, no more than two hours of which may be skill instruction. This summer development model provides an opportunity for student-athletes and coaches to work together to improve aspects of the student-athletes' individual athletics skill in a more personal structure while also building a more intimate coach/player relationship and an emotional bond to the institution.

(2) Playing and Practice Season.

- An acclimation period for on-court preseason basketball practice would begin October 1 and provide for gradual increase in on-court practice between October 1 through October 15 (with two days off each week), at which time the current 20 hours per week of on-court practice (with one day off per week) would be applicable.
- Institutions must implement policies to limit missed class time due to athletics participation.
- The maximum number of contests shall be decreased by one, thus permitting institutions to engage in a maximum of 28 regular season contests or 26 regular season contests and one qualifying regular-season multiple-team event.
- As a best practice, institutions should be strongly encouraged to participate in no more than an average of two games per week (Monday through Sunday) while classes are in session. Further, institutions should not participate in any games during the week of final examinations as defined in the institution's catalog and should not participate in more than one away-from-home regular season conference game Monday through Friday of any given week. Conference offices should monitor these practices and require documentation from institutions not meeting them prior to the beginning of the season.

(3) Impact of transferring.

- While current data indicates that two-year college basketball transfers graduate at a lesser rate than basketball student-athletes who initially enroll at a four year institution and that two-year college basketball transfers graduate at a lesser rate than their counterparts who transfer from a four-year institution, current data available for review was not adequate to allow the working group to make any definitive recommendations at this time. Therefore, the group recommended that additional data should be collected to help determine the characteristics of a successful Division I men's basketball two-year college transfer student-athlete. Data will be available later in the 2009-2010 academic year that will allow for a better assessment of the number and types of courses that two-year transfers have taken.

**FURTHER BOARD ACTION:**

- a. Offered feedback to the group members, which included a request that within 18-months a recommendation be developed designed to improve the academic performance of transfer student-athletes and a suggestion that the report be enhanced to further articulate the incentives for institutions and student-athletes to participate in the summer retention program. Additionally, the Board suggested that this working group should stay intact to address additional basketball issues.
- b. **Accepted the report, introduced the report in to the Division I governance structure and charged the staff with drafting appropriate legislative proposals necessary to implement the group's recommendations.** (Unanimous Voice Vote.)

[NOTE: At its October meeting, the Board will review the draft proposals and consider sponsoring them in the 2009-10 Division I legislative cycle.]

8. **Report from the Committee on Academic Performance.** [Reference BOD Supplement No. 5A, 5B, 5C.]

**BOARD ACTIONS:**

- a. Received a report from the Committee on Academic Performance's July 2009, meeting and were informed that while the committee discussed the possibility of identifying other institutional representatives (e.g., chancellor/president, director of athletics) to be included within the APR portfolio, given the complexities and administrative burden associated with reporting such information, the committee did not elect to include such information at this time.

[NOTE: The committee agreed to revisit this concept in the fall of 2011, after the current Head Coaches' APR Portfolio initiative has been fully implemented and evaluated.]

b. Legislative Issues.

- (1) **Proposal Number: 2009-07 – Academic Performance Program -- Definitions and Applications -- Academic Progress Rate -- Definition of Cohort.** Intent: To revise the definition of the NCAA Division I Academic Progress Rate (APR) cohort, as specified.

**BOARD ACTION:** Used its legislative authority to adopt this proposal as noncontroversial legislation. (Unanimous Voice Vote.)

- (2) **Proposal Number: 2009-08 – Academic Performance Program -- Penalties and Rewards -- Penalties -- Determination of Penalties.** Intent: To revise the NCAA Division I Academic Performance Program (APP) penalty structure, as specified.

**BOARD ACTION:** Used its legislative authority to adopt this proposal as noncontroversial legislation. (Unanimous Voice Vote.)

c. Heard for the committee chair, that as a result of the APP Historical Appeals Subcommittee of the Board of Directors experience in considering an appeal, the Committee on Academic Performance, with the support of the subcommittee, is recommending:

- (1) That the APP Historical Appeals Board Subcommittee shall have the authority to remand a case back to the committee to be considered in accordance with the committee's policies and procedures and in light of the subcommittee's decision regarding the specific issue(s) raised in the appeal;
- (2) That the chair of the APP Historical Appeals Board Subcommittee be permitted to vote in all cases; and
- (3) That the Board's chair shall have the authority to appoint substitute members to the APP Historical Appeals Subcommittee, as needed.

**BOARD ACTION:** Approved the revisions to the Occasion-Three and -Four Historical Penalty waivers and appeals policies and procedure as set forth above. (Unanimous Voice Vote.)

- d. Were informed that the Academic Cabinet has begun its review of the division's initial-eligibility requirements by drafting goals and principles to guide its future work, and that in the year ahead, the cabinet along with the Committee on Academic Performance, plans to review the impact of the current Division I initial-eligibility standards.

## **9. Division I Governance Structure Update.**

- a. **Report of the Division I Governance Substructure.** [Reference BOD Supplement No. 6.]

### **BOARD ACTIONS:**

- (1) Received an update on the Division I governance substructure's efforts to support the broader Division I agenda and learned that there appears to be a high level of coordination between the Board's priorities and the initiatives being explored by the substructure. This coordination appears to be a positive outgrowth of the new governance structure.
- (2) Were also informed that pursuant to the Board of Directors charge to review bylaws for potential cost savings, the cabinets have begun their review, with the plan to continue that work in September, so the councils can provide a list of priorities to the Board at its October 2009, meeting.

- b. **Report from the May 6 and 11, 2009, Division I Leadership Council teleconferences.** [Reference BOD Supplement No. 7.]

### **BOARD ACTIONS:**

- (1) Received an update from the chair of the Leadership Council who explained that the group is continuing its work on developing proposed new Division I membership standards, with a focus on helping potential members better prepare through the transitional process so that upon becoming full Division I members, the impacted student-athletes have a full and positive experience.
- (2) Learned that the Leadership Council will to continue its efforts in earnest during its October 6, 2009, meeting, with the hope of completing its work over the next six to eight months so its recommendations can be reviewed by the Board during the spring of 2010. Pursuant to this timeline, supporting legislative proposal would subject to membership consideration during the 2010-11 legislative cycle.

[NOTE: During this update, it was noted the PAG suggested that the Leadership Council consider requiring Football Championship Subdivision (FCS) institutions seeking to transition to the Football Bowl Subdivision (FBS) to receive a bona fide offer of admission from a FBS conference before being permitted to being the transition process.]

- c. Report of the July 30, 2009, Division I Legislative Council. [Reference BOD Supplement No. 8.]

**BOARD ACTIONS:** Received a report from the chair of the Legislative Council regarding that group's July 30, 2009, conference call.

- (1) **Membership override request regarding Proposal Nos. 2008-46 and 2008-59.**

**Proposal No. 2008-46 – Playing and Practice Seasons -- Baseball -- Preseason Practice and First Contest -- Championship Segment.** Intent: In baseball, to specify that in the championship segment, an institution shall not commence practice sessions prior to the Friday that is three weeks prior to the first permissible contest date for the championship segment and shall not play its first contest (game or scrimmage) with outside competition prior to the Friday in February that is 14 weeks before the Friday immediately preceding Memorial Day.

**BOARD ACTIONS:**

- (a) Were informed that 56 member institutions submitted requests to override the Legislative Council's adoption at its April 20, 2009, meeting of Proposal No. 2008-46;
- (b) Discussed the proposal and the fact that opinions on the legislation appear influenced by geography with many Northern schools opposing the proposal and Southern schools supporting it;
- (c) Learned that the Legislative Council during its July 30, 2009, conference call voted to sustain its earlier adoption of Proposal No. 2008-46; and
- (d) **Took no additional legislative action, thereby allowing the override request to be considered by the Division I membership during the Division I Business Session at the 2010 NCAA Convention. (Unanimous Voice Vote.)**

[NOTE: At least a 5/8 majority vote of individual active members present including conference members in the governance structure, and voting shall be required to override the legislative action taken by the Board of Directors. The vote shall be based on the principal of one institution, one vote and the vote shall be taken by roll call.]

- (2) **Proposal No. 2008-59 – Division Membership -- Definitions and Applications -- Emerging Sports for Women -- Sand Volleyball.** Intent: To add sand volleyball as an emerging sport for women.

**BOARD ACTIONS:**

- (a) Were informed that 63 member institutions submitted requests to override the Legislative Council's adoption at its April 20, 2009, meeting of Proposal No. 2008-46;
- (b) Discussed the proposal and the various membership views both in support of and in opposition to the proposal;
- (c) Learned that the Legislative Council during its July 30, 2009, conference call voted to sustain its earlier adoption of Proposal No. 2008-59; and
- (d) **Took no additional legislative action, thereby allowing the override request to be considered by the Division I membership during the Division I Business Session at the 2010 NCAA Convention.** (Unanimous Voice Vote.)

**10. Division I Committee on Infractions.**

- a. Request to sponsor legislation. [Reference BOD Supplement No. 9.]
  - **Proposal No. 2009-09 – Ethical Conduct -- Unethical Conduct -- Knowingly Influencing Others To Furnish False Or Misleading Information.** Intent: To specify that knowingly influencing others to furnish the NCAA or an individual's institution false or misleading information concerning an individual's involvement in or knowledge of matters relevant to a possible violation of an NCAA regulation constitutes unethical conduct.

**BOARD ACTIONS:**

- (a) Suggested that the proposal language be clarified to specify that the person must knowingly influence others to provide false or misleading information.
- (b) **Agreed to use its authority to sponsor Proposal No. 2009-09, as modified per the suggestion above, into the 2009-10 legislative cycle. (Unanimous Voice Vote.)**

b. **Committee appointment.** [Reference BOD Supplement No. 10].

**BOARD ACTION: Appointed Eleanor Myers, faculty athletics representative, Temple University, Atlantic 10 Conference.** (Immediate) (Unanimous Voice Vote.)

**11. AFCA/NCAA Respect Weekend.** [Reference BOD Supplement No. 11.]

**BOARD ACTIONS:**

- a. Were informed that as part of the NCAA's national sportsmanship campaign, the American Football Coaches Association (AFCA) and the NCAA are partnering to hold a national "AFCA/NCAA RESPECT Weekend" the opening weekend of the 2009 football season.
- b. Learned that the highlight of pregame activities will be a handshake at midfield and that all NCAA football sponsoring institutions will have an opportunity to receive the following materials:
  - Banners/signage;
  - Video public service announcements;
  - Public address scripts;
  - Video board messages; and
  - Logos for use on T-shirts and other give a ways.

**12. Report of the April 30, 2009, meeting of the NCAA Executive Committee.** [Reference BOD Supplement No. 12.]

**BOARD ACTIONS:**

- a. Were informed that during its August 6, 2009, meeting, the Executive Committee would be considering the NCAA's championship hosting policy related to sports wagering and that in Division I the Championships/Sports Management Cabinet examined the issue in June recommending that the relevant geographic area in the current policy be changed from "metropolitan" to "state." The cabinet also agreed to recommend modifying the current policy so that it would be permissible for a state that permits sports wagering to host a championship, provided the hosting sites are not predetermined.
- b. Additionally, learned that since the cabinet reviewed the issue, the NCAA staff also examined the issue and is recommending that the Executive Committee adopt the following policy set forth below:

"No pre-determined or non-predetermined session of an NCAA championship may be conducted in a ~~metropolitan area~~ state with legal wagering that is based upon single-game betting ~~the outcome of any event~~ (i.e., high school, college or professional) in a sport in which the NCAA conducts a championship."
- c. Were provided an opportunity to provide feedback in advance of the Executive Committee meeting.

**13. Litigation update.**

**BOARD ACTION:** Received a report and took no action.

**14. Governmental relations report.** [Reference BOD Supplement No. 14.]

**BOARD ACTION:** Received a report and took no action.

15. Other business.

16. Future meeting dates.

- a. October 29, 2009, National Office, Indianapolis
- b. January 16, 2010, NCAA Convention, Atlanta, Georgia.

- c. April 29, 2010, National Office, Indianapolis, Indiana
- d. August 12, 2010, National Office, Indianapolis, Indiana
- e. October 28, 2010, National Office, Indianapolis, Indiana
- f. January 15, 2011, NCAA Convention, San Antonio, Texas
- g. April 28, 2011, National Office, Indianapolis, Indiana
- h. August 11, 2011, National Office, Indianapolis, Indiana
- i. October 27, 2011, National Office, Indianapolis, Indiana

17. Adjournment.