

**REPORT OF THE OCTOBER 29, 2009, MEETING OF THE  
NATIONAL COLLEGIATE ATHLETIC ASSOCIATION  
DIVISION I BOARD OF DIRECTORS**

Participants:

Michael F. Adams, University of Georgia, Southeastern Conference  
Charles Bantz, Indiana University-Purdue University of Indianapolis, Summit League  
James Barker, Clemson University, Atlantic Coast Conference (chair)  
William Beauchamp, University of Portland, West Coast Conference  
Robert Bruininks, University of Minnesota, Big Ten Conference  
Jim Cofer, University of Louisiana at Monroe, Sun Belt Conference  
Greg Dell’Omo, Robert Morris University, Northeast Conference  
Judy Genshaft, University of South Florida, Big East Conference  
Robert Kustra, Boise State University, Western Athletic Conference  
William Meehan, Jacksonville State University, Ohio Valley Conference  
Ann Millner, Weber State University, Big Sky Conference  
Kevin Mullen, Siena College, Metro Atlantic Athletic Conference  
Harvey Perlman, University of Nebraska, Lincoln, Big Twelve Conference  
John Peters, Northern Illinois University, Mid-American Conference  
Shirley Raines, University of Memphis, Conference USA  
Edward Ray, Oregon State University, Pacific-10 Conference  
David Schmidly, University of New Mexico, Mountain West Conference  
S. David Berst, NCAA  
Jacqueline Campbell, NCAA, recording secretary

[Note: William R. Harvey, Hampton University, was unable to attend.]

Damon Evans, University of Georgia, Southeastern Conference, chair of the Division I Leadership Council and Joe D’Antonio, Big East Conference, chair of the Division I Legislative Council, also were in attendance.

NCAA staff members in attendance: Elsa Cole, Joni Comstock, Julie Cromer, Bernard Franklin, Lynn Holzman, Brad Hostetter, LuAnn Humphrey, Jim Isch, Tom Jernstedt, Kevin Lennon, Steve Mallonee, Delise O’Meally, Tom Paskus, Todd Petr, David Price, Wallace Renfro, Julie Roe, Greg Shaheen, Mark Tschaggeny, Robert Vowels, Wendy Walters, and Charlotte Westerhaus.

1. **Opening Remarks.** Board of Directors chair, James Barker, welcomed the Board members to the meeting, extending a special welcome to new member Greg Dell’Omo, president of Robert Morris University, Northeast Conference. The Board paused for a moment of silence to recognize Myles Brand for his leadership and contributions to the Association.

2. **Report of the August 6, 2009, Board of Directors meeting.** The Board approved the minutes of its August 6, 2009, meeting. (Unanimous Voice Vote.) [Reference Supplement No. 1.]
3. **Report of the Division I Presidential Advisory Group (PAG).** Ann Millner, chair of the Division I Presidential Advisory Group, reported on the group's October 28, 2009, meeting. The Board was informed of PAG's position on various Board agenda items as they were reviewed. [Reference Supplement No. 2.]
4. **Report from the Interim President.** NCAA Interim President Jim Isch noted that he plans to continue to work on the agenda established by Dr. Myles Brand. He reported that the Association's focus will remain in the areas of academic reform, fiscal stability, student-athlete well-being and diversity and inclusion. The group was also updated regarding the search for a new NCAA president, noting that the Executive Committee was expected to select the members of the search committee during its meeting later that day.
5. **Reports from the Committee on Infractions and Infractions Appeals Committee.**

[Note: Shirley Raines of Memphis University departed the meeting room during the discussion of Agenda Item Nos. 5-a and 5-b.]

- a. **Committee on Infractions.** Paul Dee, chair of the Committee on Infractions, reviewed several policy areas of concern to the committee with the Board. The Board agreed to appoint two Board members to meet by conference call with several NCAA staff members and the chairs of the Committee on Infractions Appeals Committee to discuss unsolved policy areas in order to report to the Board in January.
- b. **Infractions Appeals Committee.** Chris Griffin, chair of the Infractions Appeals Committee, recommended the Board approve the following change to both the Enforcement and the Infractions Appeals Committee Policies and Procedures: [Reference Supplement No. 3.]

**BOARD ACTION:**

- **That individual appellants be required to disclose current or future employment at a member institution.** (Unanimous Voice Vote.)
- c. **Committee Appointment.**

**BOARD ACTION:**

- **The Board appointed Roscoe C. Howard, of Troutman Sanders in Washington, D.C. to the Infractions Committee.** [Reference Supplement No. 4.] (Unanimous Voice Vote.)

6. **Men's Basketball Enforcement Initiative.** David Price, NCAA vice president for enforcement, LuAnn Humphrey, NCAA associate director of enforcement, four conference commissioners (Britton Banowsky, Conference USA; Daniel Beebe of the Big 12 Conference; James Delaney, Big Ten Conference; and Michael Slive, Southeastern Conference) and Jim Haney, the executive director of the NABC, presented the group with a proposed four-tier plan to address the men's basketball recruiting environment.

**BOARD ACTION:** The Board approved legislative Proposal No. 2009-95 and the four-tiered plan. [Reference Supplement No. 5.] (Unanimous Voice Vote.)

- **Proposal No. 2009-95 – Recruiting – Sports Camps and Clinics – Definition of Recruited Prospective Student-Athlete – Men's Basketball.**

[For full text of proposal, please see Attachment.]

7. **Request by Big 12 Conference to Sponsor Legislation.**

**BOARD ACTION:** The Board agreed to sponsor a proposal in the 2009-10 legislative cycle that, in the Football Bowl Subdivision (FBS), would permit any institution with a final winning percentage of .500 or better to be selected for participation in a bowl game. [Reference Supplement No. 6.] [Vote: For 7 – Adams, Barker, Bruininks, Genshaft, Perlman, Ray, Schmidly; Against 4 – Cofer, Kustra, Peters, Raines.]

- **Proposal No. 2009-103 – Postseason Bowl Licensing – Contest Status – Deserving Team.**

[For full text of proposal, please see Attachment.]

8. **Division I Revenues and Expenses Update.** Todd Petr, NCAA director of research, updated the Board on five-year trends in athletics finances. The Board reviewed data collected from the NCAA Financial Reporting System for the fiscal years 2003-04 through 2007-08, noting trends and highlighting similarities and differences between the subdivisions. [Reference Supplement No. 7.]

9. **Report from the Committee on Academic Performance.** Walter Harrison, chair of the Committee on Academic Performance shared information regarding the annual release of Graduation Success Rate (GSR) and Federal Graduation Rate information and the committee's continued work on the development of a head coach's APR portfolio with the Board. It was noted that he will report the committee's plans for a comprehensive study of the Academic Performance Program (APP) and its effectiveness in reaching the membership's goals for academic reform, the results of a study of academic support resources and practices for student-athletes, and plans for a long-term analysis of the initial-eligibility standards in more detail in January. [Reference Supplement No. 8.]

10. **Division I Governance Structure Update.**

- a. **Discussion of Legislative Proposals Related to the Basketball Academic Enhancement Group (BAEG) Report.**

**BOARD ACTIONS:**

- (1) The Board reviewed the final report and the accompanying legislative proposals recommended by the Men's Basketball Academic Enhancement Group.
- (2) The Board noted continuing concern regarding the proposals related to the summer athletic development-retention model and providing travel expenses for parents accompanying prospects on official visits.
- (3) **The Board agreed not to enter these two proposals into the 2009-10 legislative cycle, but rather to discuss them at the Division I Forum during the January Convention in an effort to encourage all parties (coaches, faculty, commissioners and administrators) to seek consensus in initiatives that will enhance graduation rates. (Unanimous Voice Vote)**
- (4) **The Board voted to sponsor the remaining proposals in this year's legislative cycle. [Reference Supplement No. 9.] (Unanimous Voice Vote)**
  - **Proposal No. 2009-96 – Two-Year College Transfers—Physical Education Activity Courses – Men's Basketball.**
  - **Proposal No. 2009-97 – Financial Aid – Counters – Aid After Departure of Head Coach – Noncounter – Men's Basketball.**
  - **Proposal No. 2009-98 – Playing and Practice Seasons – Playing and Practice Season Model – Men's Basketball.**

[For full text of proposals, please see Attachment.]

- b. **Report of the Division I Governance Substructure.** As part of the efforts to keep the Board informed of the activities taking place in the Division I governance substructure, the Board received a summary of key discussion items from the cabinets' September meetings. [Reference Supplement No. 10.]
- c. **Report of the October 6, 2009, Division I Leadership Council meeting.** Damon Evans, chair of the Division I Leadership Council, reported briefly on the October 6, 2009, Division I Leadership Council meeting. The Board was informed of the Leadership Council's continued discussion of Division I membership standards, and the expectation of presenting final recommendations to the Board in time for spring 2010 conference meetings and consideration of appropriate legislation in the 2010-11 cycle. It was also informed of the Leadership Council's ongoing discussion of possible approaches to enhancing diversity in the governance structure and the focus on faculty concerns regarding their perceived underrepresentation in the structure. [Reference Supplement No. 11.]
- d. **Report of the October 19-20, 2009, Division I Legislative Council meeting.** Division I Legislative Council Chair Joe D'Antonio reported on the October 9, 2009, Legislative Council meeting. The Board was informed that the Legislative Council reviewed all proposals in the current cycle and approved 10 of the proposals as noncontroversial legislation. It was recommended that the Board sponsor Proposal No. 2009-94, which would make the geographic requirement in the basketball event certification process consistent for men and women, into the 2009-10 legislative cycle. [Reference Supplement No. 12.]

**BOARD ACTION: The Board agreed to sponsor Proposal No. 2009-94 in the 2009-10 legislative cycle. (Unanimous Voice Vote)**

[For full text of proposal, please see Attachment.]

- e. **2010 NCAA Convention.** [Reference Supplement Nos. 13A and 13B.]
  - (1) Overview of the NCAA 2010 Convention Schedule and Updates. The Board briefly reviewed a schedule of key events at the 2010 NCAA Convention, set forth below:

**Thursday, January 14**

- Opening Business Session. (4 – 5:30 p.m.)
- Delegates Reception (5:30 – 7 p.m.)

**Friday, January 15**

- Division I Issues/Legislative Forum. (9:30 – 11:30 a.m.)
- BOD/Leadership Council/Legislative Council Luncheon. (11:30 a.m. – 1 p.m.)
- Division I Issues/Legislative Forum. (cont.) (1 – 3 p.m.)
- Division I Business Session – At the conclusion of the Legislative Forum. [Note: Vote on the override of Proposal Nos. 2008-46 and 2008-59 will occur during the Division I Business Session.]
- Honors Celebration. (6 – 8 p.m.)

**Saturday, January 16**

- Joint SAAC/BOD breakfast. (8 – 9:30 a.m.)
- Board of Directors meeting. (9:30 a.m. – 5 p.m.)
- Executive Committee meeting. (5:30 – 8 p.m.)
- President's Reception. (7:30 – 9 p.m.)

- (2) Review of Override Process. The Board was reminded that the override votes regarding Proposal Nos. 2009-46 and 2008-59 will occur on January 15, 2010, during the Division I Business Session at the NCAA Convention. At least a five-eighths majority vote of individual active members present and voting shall be required to override the legislative action taken by the Legislative Council. The vote shall be based on the principle of one institution-one vote, and the vote shall be taken by roll call.

11. **Report of the August 6, 2009, Meeting of the Executive Committee.** The Board received a report of the August 6, 2009, meeting of the Executive Committee. No action was taken. [Reference Supplement No. 14.]
12. **Litigation Update.** Elsa Cole, NCAA general counsel, provided this report to the Board.
13. **NCAA Governmental Relations Report.** The Board received the September 2009 Governmental Relations Report. No action was taken. [Reference Supplement No. 16.]

14. **Other Business.**

**BOARD ACTIONS:**

- a. **Chair.** The Board elected Harvey Perlman, University of Nebraska, to succeed James Barker as chair of the Board of Directors once President Barker's term expires following the Board's April 2010 meeting. (Unanimous Voice Vote.)
- b. **New Executive Committee Member.** The Board noted that William Harvey, Hampton University, will be appointed as an FCS representative on the Executive Committee.

*Board of Directors chair: James Barker, Clemson University*

*Staff Liaisons: S. David Berst, Division I governance*

*Jacqueline Campbell, Division I governance*