

**REPORT OF THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION  
DIVISION I OCTOBER 6, 2009, LEADERSHIP COUNCIL**

- **KEY ITEMS.**

1. **Interim President.** Jim Isch, NCAA senior vice president and chief financial officer, has been appointed Interim President of the NCAA. He intends to continue the Association's focus on academic reform, fiscal stability, student-athlete well-being and diversity and inclusion. It is expected that the Executive Committee will establish a timeline and framework for a search for a new full-time president during the committee's October 29 meeting. In addition, a public tribute to Myles Brand will be conducted at 6 p.m. on October 28 in Conseco Fieldhouse in Indianapolis, Indiana.
  
2. **Division I Membership Standards.** The group reviewed a set of recommended membership standards for aspiring members of Division I. The individual recommendations and reactions during the meeting are set forth below. It is anticipated that a final report will be submitted to the Board of Directors in time to be available for spring 2010 conference meetings and for appropriate legislation to be considered in the 2010-11 cycle. This schedule would coincide with the expected end of the Division I moratorium period regarding new Division I members and conferences, which expires in August 2011. [Supplement No. 1] [Addendum]
  
3. **Enhancing Diversity in the Division I Council and Cabinet Structure.** The group reviewed a draft of a paper designed to respond to the Board of Directors' request for recommendations to enhance diversity and give focus to faculty concerns regarding perceived underrepresentation in the governance structure. A summary of the discussion is set forth below. This item will be discussed again at the council's January meeting. [Supplement No. 2]

- **INFORMATION ITEMS.**

1. **Review of Division I Membership Recommendations.**
  - a. **All potential new members of Division I should enter the division through a five-year "reclassification" process following membership in Division II as**

**described in Bylaw 20.5.1, and only after presenting a bona fide offer of membership from a Division I multisport, voting conference. The sponsoring conference will be expected to provide appropriate guidance and counsel, assist with scheduling, monitor student-athlete well being and enhance accountability during the transition process.**

**Action:** Based on counsel from Division II, the group agreed that active membership in Division II for five years should be required before beginning a “reclassification” transition to Division I. It was noted that this time period both provides the institution the opportunity to participate fully in Division II, and offers more insight into effects on the student-athlete experience than an immediate transition into, and out of, Division II.

- b. The “provisional” process provided for in Bylaw 20.3.1, which now permits an institution outside the NCAA to become a Division I member through a seven-year process, shall be eliminated.**

**Action:** Confirmed support.

- c. A substantial Division I application fee should be required before entering the “reclassification” process, which should be commensurate with the estimated value of services and benefits made available through Division I membership. For purposes of discussion, \$800,000 is approximately half of the estimated average direct benefits (distribution funds and championships) and indirect benefits (Association-wide) received annually by a Division I member.**

**Action:** The staff was requested to present alternate models for the calculation of an application fee that would be representative of either a business model, an education association model or a hybrid. It remains unclear whether such a fee should be tied to the Division I brand value, a business valuation of Division I membership, the value of direct net benefits received annually as an active member, the operational costs associated with administering the reclassification process or whether a “vesting” period is appropriate. It was noted that the fee should eventually be deposited in NCAA reserves and not returned to the institution or its conference. It also was emphasized that each conference may

have its own fees associated with conference membership. The matter will be addressed again at the council's January 2010 meeting.

- d. **Upon beginning the “reclassification” process, the institution must meet Division I sports sponsorship requirements (which should be increased from 50 percent to 75 percent of the grants-in-aid maximums in the conference sponsored sports in which the institution will participate). In addition, the alternative means of satisfying this requirement now set forth in Bylaw 20.9.1.2-(b) (c) and (d) should be modified to correlate to the new minimum.**

**Action:** The staff was requested to gather additional data concerning the actual levels of funding in each sport by current Division I members for Leadership Council consideration in January. While it appears that the vast majority of institutions now fund grants-in-aid above the 50 percent level, it is not clear which schools use the alternate means provided by sections (c) and (d) of this legislation to meet this requirement. It was noted that if the percentage requirement is increased, a phase-in period for current members to satisfy the requirement may be appropriate. It also was noted that an increase should be a catalyst for broader support of an institution's athletics program and should not be seen as a reason to reduce funding in certain sports in order to increase grants in others.

- e. **A prospective member institution may not be elected to active membership in Division I if it is subject to a “historical penalty” under the APR program.**

**Action:** Confirmed support.

- f. **A preliminary NCAA certification should be required in year 2 of the five-year “reclassification” period and a compliance review and full certification should be required before final approval as a Division I member.**

**Action:** Confirmed support, although the nature and requirements for preliminary certification should be established.

- g. A multisport conference must establish voting privileges in the Division I governance structure through legislation that places the conference among those identified in applicable sections of Constitution 4 related to representation and voting ratios on Division I Board of Directors, Legislative and Leadership Councils and the six cabinets.**

**Action:** Confirmed support.

- h. The multi-divisional practice permitting a Division II or III institution to designate one men's and one women's sport in Division I, except in football or men's or women's basketball shall be discontinued upon the completion of the 2010-11 academic year. Division II and III institutions that sponsor sports teams in Division I in 2010-11 may continue to do so in the sports so designated but will forfeit this opportunity permanently if it fails to conduct the sport in Division I in any ensuing academic year. No change is recommended for participation in national collegiate championships.**

**Action:** Confirmed support.

- i. Multisport, voting conferences shall receive preference in awarding Automatic Qualification (AQ) for Division I championships. Further, no more than 32 conferences may be awarded AQ's for any championship, and at least 50 percent of the field must be reserved for "at large" selections.**

**Action:** Confirmed support.

- j. The current definitions for "core" and "continuity" for Division I institutions should be eliminated in favor of a new definition of "multisport conference."**

**Action:** It was agreed that the attachment to Supplement No. 1 of the agenda, which was prepared by the 20 FCS and Division I subdivisions conferences, would be reviewed by staff to ensure that the status quo is preserved if these definitions are eliminated and that special attention be paid to the number of

schools required to both be considered a conference member and be eligible for automatic qualification into championship competition in men's basketball.

- k. New "active" members of Division I should qualify immediately for revenue distributions related to academic enhancement and the Special Assistance/Student-Athlete Opportunity Funds. Remaining allocations and Division I distributions should be computed based upon the actual members of the division at the time applicable revenue agreements are completed. Each sponsoring conference would be free to share its revenues from Division I distributions among its members as it deems appropriate.**

**Action:** This recommendation should be evaluated in conjunction with further discussion of the new member application fee structure.

- l. No change in criteria is recommended for designation in the Football Championship Subdivision.**

**Action:** Confirmed support.

- m. The role of the Administration Cabinet and the steps of the five-year reclassification process should be modified to ensure coordination by the cabinet with sponsoring conferences.**

**Action:** Referred to the Administration Cabinet and conferences for consideration.

- n. Constitution 3.2.3.1 should be amended to provide that the vote to elect an institution to Division I active membership upon recommendation of the Administration cabinet shall be taken by the Board of Directors, rather than the Leadership Council.**

**Action:** Confirmed support.

2. **Discussion of possible ways to enhance the level of diversity at the Division I cabinet and council levels.** The Leadership Council discussed the following approaches:

- a. Apply the current diversity requirements (35 percent of each gender and 20 percent ethnic minority) to each cabinet and council while noting the importance of positional distribution in the nomination process.
- b. Require that faculty athletics representatives comprise a certain percentage of the membership of each cabinet other than the Academics Cabinet; where faculty athletics representatives would comprise a higher percentage of the membership.
- c. Require conferences to nominate two individuals, regardless of position, for each cabinet or council opening; charge the Board of Directors to keep the diversity of the cabinets and councils in mind when selecting between the two nominees.
- d. Place a two-year term limit on all cabinet and council positions and limit conferences to two consecutive nominees of the same position.
- e. Establish a certification or education process to help conferences identify qualified potential nominees.
- f. Send a letter to conferences and institutions emphasizing the importance of gender, ethnic and positional diversity on all cabinets and councils and encourage interest in participation, even in areas where the individual may not have past experience.

Prior to the Leadership Council's January meeting, NCAA staff will formulate concepts aimed at enhancing the level of diversity serving within the governance structure that reflect the approaches discussed by the Leadership Council. These recommendations should relate to both the nomination system and possible initiatives to help new participants develop interest in the governance structure. Additionally, the NCAA research staff will present data regarding individuals currently serving on cabinets and councils.

**3. Legislative items in the 2009-10 cycle of potential interest to the Leadership Council.**

The group reviewed the expected override process that will take place at the January 15, 2010, Division I business session and also reviewed selected legislative proposals from the 2009-10 legislative cycle, but took no action.

**4. Report from the Division I Student-Athlete Advisory Committee.**

Received a report from the chair of SAAC outlining agenda items under their consideration, including the final Commercial Activities Report, the final report of the Men's Basketball Academic Enhancement Group, the Leadership Council's review of Membership Criteria and expected consideration of cost-savings initiatives within the division. The SAAC Award of Excellence will be presented at an upcoming meeting. It was noted that communication among student-athletes has been enhanced through the use of social networking technology.

**5. Future meeting dates.**

- January 14, 2010; NCAA Convention, Atlanta, Georgia.

*Council chair: Damon Evans, University of Georgia, Southeastern Conference.*

*Council liaisons: David Berst, governance.*

*Bernard Franklin, membership and governance.*

*Kevin Lennon, academic and membership affairs.*

*Mark Tschaggeny, governance intern.*